

Pollution Incident Response Management Plan

Newcastle EPL 11264



SAFETY



HEALTH



ENVIRONMENT



COMMUNITY



SUSTAINABILITY

Contents

| | |
|--|-------------------------------------|
| Overview | 3 |
| Purpose and Scope..... | 3 |
| Regulatory Requirements | 4 |
| 1. Definition of a Pollution Incident | 4 |
| 2. Definition of a Pollution Incident | Error! Bookmark not defined. |
| 3. Key Responsibilities | 4 |
| 3.1. Table 1 – Name, Responsibility and 24 Hours Contacts of SMM Staff..... | 4 |
| 4. Pollution Incident Notification Process..... | 5 |
| 4.1. Requirement to Notify..... | 5 |
| 4.2. Reporting an Incident..... | 5 |
| 4.3. Pollution Notification Within SMM | 5 |
| 4.4. Pollution Notification to Relevant Authorities | 5 |
| 4.5. Table 3 – Contact Numbers if there is an Immediate Threat to Human Health or the Environment – Call Fire and Rescue NSW First..... | 6 |
| 4.6. Table 4 – Contact Numbers if there is no Immediate Threat to Human Health or the Environment – Call Environment Protection Authority First..... | 6 |
| 4.7. Communication With Neighbours and the Local Community | 6 |

Overview

As the holder of EPL 11246, Sims Metal Management (SMM) is required to comply with the POEO Act. As such this procedure has been developed to satisfy the requirements to maintain a “Pollution Incident Response Management Plan” (PIRMP).

The purpose of this PIRMP is to:

- Ensure comprehensive and timely communication about a pollution incident to workers and other persons at the premises, the Environment Protection Authority (EPA), other relevant authorities specified in the Act (such as local councils, NSW Ministry of Health, SafeWork NSW, and Fire and Rescue NSW) and people outside the facility who may be affected by the impacts of the pollution incident.
- Minimise and control the risk of a pollution incident at the facility by requiring identification of risks and the development of planned actions to minimise and manage those risks.

Ensure that the plan is properly implemented by trained workers, identifying persons responsible for implementing it, and ensuring that the plan is regularly tested for accuracy, currency and suitability.

Purpose and Scope

The POEO Act introduces several changes to improve the way pollution incidents are reported, managed and communicated to the general community. The Act includes a new requirement under Part 5.7A of the *Protection of the Environment Operations Act 1997* (POEO Act) to prepare, keep, test and implement a pollution incident response management plan.

The specific requirements for pollution incident response management plans are set out in Part 5.7A of the POEO Act and the Protection of the Environment Operations (General) Regulation 2009 (POEO(G) Regulation).² In summary, this provision requires the following:

All holders of environment protection licences must prepare a pollution incident response management plan (section 153A, POEO Act).

The plan must include the information detailed in the POEO Act (section 153C) and be in the form required by the (POEO(G) Regulation) (clause 98B).

Licensees must keep the plan at the premises to which the environment protection licence relates or, in the case of trackable waste transporters and mobile plant, where the relevant activity takes place (section 153D, POEO Act).

Licensees must test the plan in accordance with the POEO(G) Regulation (clause 98E).

If a pollution incident occurs in the course of an activity so that material harm to the environment is caused or threatened, licensees must immediately implement the plan (section 153F, POEO Act).

Regulatory Requirements

1. Definition of a Pollution Incident

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

2. Key Responsibilities

While personal details for the following are available in the PIRMP kept onsite they do not appear in this public document under the provision of the Privacy and Personal Information Protection Act 1998.

2.1. Table 1 – Name, Responsibility and 24 Hours Contacts of SMM Staff

| Title | Name | Responsibility | Number |
|---------------------------|---------------|--|--------|
| Yard Manager | David South | Activate PIRMP Notify emergency services of the pollution incident Notify SHECS Team, Northern Regional Manager and Operations Manager | * |
| Northern Regional Manager | Scott Clarke | Assist Yard Manager and SHECS Manager in Pollution Response | * |
| Operations Manager | Gerard Whelan | Assist Yard Manager and SHECS Manager in Pollution Response | * |
| SHECS Manager | John Barksby | Notify External Authorities Coordinate Post Pollution Response | * |
| Environmental Cadet | Rachael Cook | Assist SHECS Manager in Pollution Response | * |
| SHECS Coordinator | Ian Beard | Assist SHECS Manager in Pollution Response | * |

3. Pollution Incident Notification Process

3.1. Requirement to Notify

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

- (a) Harm to the environment is material if:
- I. it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or
 - II. It results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and
- b) The loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good the harm to the environment.
- (1) For the purpose of this part, it does not matter that harm to the environment is caused only in the premises where the pollution incident occurs.

3.2. Reporting an Incident

Workers or contractors who identify any actual or potential pollution incident must immediately respond to the incident in accordance with their site emergency response plan (ERP). This includes responsibility for immediately alerting their line manager regardless of nature or scale.

Call 000 if the incident presents an immediate threat to human health or property. Fire and Rescue NSW, the NSW Police and the NSW Ambulance Service are the first responders, as they are responsible for controlling and containing incidents. The line manager supports first response actions and must immediately alert the Yard Manager.

3.3. Pollution Notification Within SMM

On receiving a report of a pollution incident, the Yard Manager immediately assesses whether the report meets the criteria of a pollution incident. If the criteria are met the Yard Manager must immediately contact in the first instance the SHEC Manager if contact cannot be made the Operations Manager.

On receiving a report of a pollution incident in the first instance the SHEC Manager if contact cannot be made the Operations Manager must ensure that:

- 1) The incident is immediately assessed on the information provided to establish if:
 - a) It is a pollution incident.
 - b) It is a notifiable incident.
 - c) It has been notified to relevant authorities such as Fire and Rescue NSW – 000
- 2) The following information is to be included:
 - a) Incident location and estimated quantity of pollutant(s) involved
 - b) Incident description (date, time, duration) and cause if known (do not speculate)
 - c) Immediate actions are taken to address the pollution incident (do not speculate)

The Yard Manager remains responsible for managing the direct response to the pollution incident.

3.4. Pollution Notification to Relevant Authorities

On determining that the incident is a notifiable incident the SHEC Manager or Operations Manager must immediately notify each relevant authority. For the purposes of this document immediately means "without delay".

If the incident does not require an initial combat agency, or once the 000 call has been made, notify the relevant authorities in the table Protocol for Industry Notification in the order listed.

3.5. Table 3 – Contact Numbers if there is an Immediate Threat to Human Health or the Environment – Call Fire and Rescue NSW First

| Industry Notification | Contact Number |
|---------------------------------------|--|
| Fire and Rescue NSW | 000 |
| Environment Protection Authority | 131 555 |
| Public Health Unit – Newcastle Office | 02 4924 6477 (John Hunter Hospital) Ask for Public Health Officer On Call |
| SafeWork NSW | 13 10 50 |
| Newcastle City Council | 02 4974 2000 There is an On-Line Form – www.newcastle.nsw.gov.au Ask for Environmental Health Department or after Hours Leave a Message. |

3.6. Table 4 – Contact Numbers if there is no Immediate Threat to Human Health or the Environment – Call Environment Protection Authority First.

| Industry Notification | Contact Number |
|---------------------------------------|--|
| Environment Protection Authority | 131 555 |
| Newcastle City Council | 02 4974 2000 There is an On-Line Form – www.newcastle.nsw.gov.au Ask for Environmental Health Department or after Hours Leave a Message. |
| Public Health Unit – Newcastle Office | 02 4924 6477 (John Hunter Hospital) Ask for Public Health Officer On Call |
| SafeWork NSW | 13 10 50 |
| Fire and Rescue NSW | 1300 729 579 |

3.7. Communication With Neighbours and the Local Community

The SHEC Manager shall determine requirements for community notification following the methodology as required.

- Early warning by telephone notification to nearest and other neighbours that maybe affected over the subsequent 24 hour period.
- Regular updates to nearest neighbours and other neighbours who may have been notified in the early warning notification.

- Updates to the broader local community if affected by newsletters, SMM Website, media statements etc.

Information provided will be relevant to the incident and may include details such as:

- The type of incident that has occurred
- The potential impacts to neighbours and the community
- SMM representative contact details
- Any advice or recommendations based on the incident type and scale

Document Control

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Change History

| Issue | Date | Description of Change |
|-------|------------|--|
| 1.0 | 01/09/2012 | Initial Release |
| 1.1 | 12/11/2012 | Update table 3.3 Remove Adrian O'Flynn |
| 1.2 | 12/11/2012 | Update EPA Draft Audit Report Jan-13 and change number for Fire and Rescue NSW |
| 1.3 | 25/09/2013 | Annual review Update Contact Table, total review and update |
| 1.4 | 30/09/2014 | Annual review Update Contact Table, total review and update |
| 1.5 | 30/09/2015 | Annual review Update Contact Table, total review and update |
| 1.6 | 30/09/2016 | Annual review Update Contact Table, total review and update |
| 1.7 | 30/09/2017 | Annual review Update Contact Table, total review and update |
| 1.8 | 30/09/2018 | Annual review Update Contact Table, total review and update Additional Review and update in line with Audit Report - <i>Sims Group Australi-Road, Kooragang - EPL 11264 - Audit of PIRMPs for Hazardous Material Facilities</i> |