

# Transport Pollution Incident Response Management Plan



SAFETY



HEALTH



ENVIRONMENT



COMMUNITY



SUSTAINABILITY

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## Overview

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As the holder of EPL, Sims Metal Management (Sims MM) NSW/ACT 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).

This PIRMP is for SimsMM NSW/ACT which is licenced by the EPA (EPL no.121212)

SMM holds this EPL for the transport of category 1 and category 2 trackable waste.

The purpose of this PIRMP is to:

- Ensure comprehensive and timely communication about a pollution incident of the transport of trackable waste to workers and other persons, 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 who may be affected by the impacts of the pollution incident.
- Minimise and control the risk of a pollution incident during the transportation of trackable waste through the 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.

## Regulatory Requirements

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The POEO Act 1997 describes the way pollution incidents are to be reported, managed and communicated to the general community. The Act requires the license holder under Part 5.7A to prepare, keep, test and implement a pollution incident response management plan (PIRMP).

The requirement to prepare a PIRMP is detailed in *section 153A, POEO Act 1997* and the specific details to be included in the PIRMP are set out in *section 153C, POEO Act 1997* and *Part 3A of the Protection of the Environment Operations (General) Amendment (Pollution Incident Response Management Plans) Regulation 2012*.

The specific requirements for pollution incident response management plans are set out in *Part 5.7A of the POEO Act 1997* and *Part 3A of the Protection of the Environment Operations (General) Amendment (Pollution Incident Response Management Plans) Regulation 2012*. These requirements are summarised as follows:

- All holders of environment protection licences must prepare a pollution incident response management plan (section 153A, POEO Act 1997).
- 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).

## 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. Pollution Incident Notification Process

### 2.1. 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.

For the purpose of this part, Sims Metal Management NSW/ACT accepts clause 147(a) (ii) of the POEO Act as the definition of material harm.

### 2.2. Notification protocol

Workers or contractors who identify any actual or potential pollution incident during the transportation of materials must immediately respond to the incident in accordance with this PIRMP document. This includes:

- Immediately alerting the transport allocator regardless of nature or scale.
- Calling the relevant emergency services by dialling 000 and/or regulatory agency.
- 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.

*While personal details for the following are available in the PIRMP kept on trucks and other transport vehicles, they do not appear in this public document under the provision of the Privacy and Personal Information Protection Act 1998.*

### 2.3. Name, Responsibility and 24 Hours Contacts of SMM Staff

Title	Name	Responsibility	Number
Operations Support Manager	Tony Feltham	Inform the driver to activate PIRMP Notify SHECS Manager Notify Operations Manager	*
Operations Manager	Tim Booth	Activate PIRMP	*

		Notify emergency services of the pollution incident Notify SHECS Manager	
SHECS Manager	John Barksby	Notify External Authorities Coordinate Post Pollution Response	*
Environmental Graduate	Faith Ijeyan	Assist SHECS Manager in Pollution Response	*
SHECS Coordinator	Christy Dorsett	Assist SHECS Manager in Pollution Response	*

#### 2.4. Pollution Notification Within SMM

On receiving a report of a pollution incident, the Transport Allocator must immediately contact 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 EPA, NSW Health, Fire and Rescue NSW, WorkCover, NSW.
- 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 Transport Allocator remains responsible for managing the direct response to the pollution incident.

#### 2.5. 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.

## 2.6. 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
SafeWork NSW	13 10 50
Public Health Unit	Affected Unit as determined at the time of incident
Council Environmental Health Unit	Affected council as determined at time of the incident

## 2.7. 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
SafeWork NSW	13 10 50
Fire and Rescue NSW	1300 729 579
Public Health Unit	Affected Unit as determined at the time of incident
Council Environmental Health Unit	Affected council as determined at time of the incident

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## 2.8. Communicating with the Community

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

- Early warning by telephone notification to nearest councils that may be affected over the subsequent 24-hour period.
- Regular updates to nearest councils 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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<b>Uncontrolled Copy if Printed:</b>	Please refer to SMM intranet for the latest version before using this document. Always check to be sure you have the most up-to-date version.

## Change History

Issue	Date	Description of Change
1.0	01/07/2019	Initial Release
1.1	30/09/2019	Annual review and Update
1.2	30/09/2020	Annual review and Update of 2.3