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Licence summary

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Summary Licence No: 2017

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Licence holder: SIMS ALUMINIUM PTY LIMITED

Premises: SIMS ALUMINIUM PTY LIMITED

42-46 CHARLES STREET, ST MARYS, NSW, 2760

LGA: PENRITH **Catchment:** Hawkesbury

Administrative fee: \$3,040.00

Licence status: Surrendered

Activity type: Non-thermal treatment of hazardous and other waste

Licence review: Complete date 16 Sep 2002

Due date 01 Jul 2005

Applications

Number	Application type	Current status	Date received
1019667	s.80 Surrender of a Licence	Issued	31 Jul 2002

Notices

Number	Issue date	Notice type
1019667	22 Aug 2002	s.80 Surrender of a Licence

Annual Returns

Start date	End date	Date received	Non-compliance	LBL data
02-Jul-2002	16-Sep-2002	06-Nov-2002	No	Not available
02-Jul-2001	01-Jul-2002	27-Aug-2002	No	Not available
02-Jul-2000	01-Jul-2001	13-Aug-2001	No	Not available
02-Jul-1999	01-Jul-2000	31-Aug-2000	No	Not available

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Summary Licence No: 7082

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Licence holder: BRAZIER GROUP PTY. LIMITED
Trading as: BRAZIER DRUM RECYCLERS
Premises: BRAZIER DRUM RECYCLERS
 32 BENT STREET, ST MARYS, NSW, 2760
LGA: PENRITH **Catchment:** Hawkesbury
Administrative fee: \$5,500.00
Licence status: Issued
Activity type: Non-thermal treatment of hazardous and other waste
 Container reconditioning
Licence review: Complete date 22 Sep 2009
 Complete date 23 Sep 2004
 Complete date 30 Jul 2002
 Due date 22 Sep 2014

Notices

Number	Issue date	Notice type
1018607	09 Aug 2002	S 58 Licence Variation
1025029	20 Feb 2003	S 58 Licence Variation
1035157	22 Sep 2004	S 58 Licence Variation
1064545	23 Oct 2006	S 58 Licence Variation
1072003	27 Apr 2007	S 58 Licence Variation
1096965	13 Feb 2009	S 58 Licence Variation
1110650	15 Jan 2010	S 58 Licence Variation

Annual Returns

Start date	End date	Date received	Non-compliance	LBL data
09-Jun-2011	08-Jun-2012			Download Annual Return Form
09-Jun-2010	08-Jun-2011	04-Aug-2011		Not available
09-Jun-2009	08-Jun-2010	05-Aug-2010	No	Not available
09-Jun-2008	08-Jun-2009	06-Aug-2009	No	Not available
09-Jun-2007	08-Jun-2008	05-Aug-2008	No	Not available
09-Jun-2006	08-Jun-2007	07-Aug-2007		Not available
09-Jun-2005	08-Jun-2006	08-Aug-2006	yes	Not available
09-Jun-2004	08-Jun-2005	08-Aug-2005	yes	Not available
09-Jun-2003	08-Jun-2004	06-Aug-2004	yes	Not available
09-Jun-2002	08-Jun-2003	14-Nov-2003	yes	Not available
09-Jun-2001	08-Jun-2002	01-Aug-2002	No	Not available
09-Jun-2000	08-Jun-2001			Download Annual Return Form

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Licence summary

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Summary Licence No: 2131

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Licence holder: CHEMCOLOUR INDUSTRIES AUSTRALIA PTY LIMITED

Premises: CHEMCOLOUR INDUSTRIES AUSTRALIA PTY LIMITED
19-25 ANNE STREET, ST MARYS, NSW, 2760
LGA: PENRITH **Catchment:** Hawkesbury

Administrative fee: \$2,750.00

Licence status: Issued

Activity type: Chemical storage waste generation
Petroleum products storage
Chemical production waste generation
General chemicals storage
Dangerous goods production

Licence review: Complete date 17 Oct 2011
Complete date 17 Oct 2006
Complete date 10 Sep 2002
Due date 17 Oct 2016

Applications

Number	Application type	Current status	Date received
144531	s.55 Licence Transfer	Approved	08 Sep 2006
145225	s.55 Licence Transfer	Approved	26 Oct 2007
1501325	S 58 Licence Variation	Issued	29 Aug 2011

Notices

Number	Issue date	Notice type
1020114	12 Sep 2002	S 58 Licence Variation
1079932	06 Nov 2007	S 58 Licence Variation
1106736	30 Aug 2010	S 58 Licence Variation
1501325	29 Aug 2011	S 58 Licence Variation

Annual Returns

Start date	End date	Date received	Non-compliance	LBL data
02-Jul-2011	01-Jul-2012			
02-Jul-2010	01-Jul-2011	24-Aug-2011	No	view
02-Jul-2009	01-Jul-2010	24-Aug-2010	No	view
02-Jul-2008	01-Jul-2009	11-Aug-2009	No	view
02-Jul-2007	01-Jul-2008	01-Sep-2008	No	view
02-Jul-2006	01-Jul-2007	27-Aug-2007	No	view
02-Jul-2005	01-Jul-2006	28-Aug-2006	No	view
02-Jul-2004	01-Jul-2005	21-Jul-2005	No	view
02-Jul-2003	01-Jul-2004	19-Jul-2004	No	view

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02-Jul-2002	01-Jul-2003	26-Aug-2003 No	view
02-Jul-2001	01-Jul-2002	23-Aug-2002 No	view
02-Jul-2000	01-Jul-2001	28-Aug-2001 No	view
02-Jul-1999	01-Jul-2000	25-Sep-2000 No	view

Clean-Up Notice



SYDNEY DRUM MACHINERY PTY LTD ,
Trading as BETTER DRUMS,
ABN 89 102 625 507,
75 CHRISTIE STREET,
ST MARYS NSW 2760

Attention: Mr. IMAD OSMAN-KARIM

Notice Number 1106659
File Number LIC08/129-03
Date 09-Nov-2009

NOTICE OF CLEAN-UP ACTION

BACKGROUND

- A. Sydney Drum Machinery Pty Ltd trading as Better Drums ("Better Drums") conducts the scheduled activity of container reconditioning at 75 Christie Street St Marys ("the Premises"). Activities conducted at the Premises are regulated by an environment protection licence (No. 12893 ["the Licence"]). The EPA is the Appropriate Regulatory Authority ("the ARA") for the Premises.
- B. On 8 September 2009 EPA authorised officers conducted an inspection of the Premises. During the inspection, the authorised officers observed that approximately 1000 containers were stored outside the building at the Premises. Containers were stored outside the building along the eastern side of the building and along the eastern perimeter fence of the Premises. The authorised officers also observed that some of the containers outside the building contained varying volumes of liquid wastes (Photo 1).
- C. Storing containers outside the building constitutes a breach of condition O5.4 of the Licence, which states: *All containers shall be stored wholly within the building.*
- D. The storage of containers outside the building at the Premises constitutes a circumstance where there is likely to be a leak, spill or escape of liquid waste or waste residue, as a result of which pollution is likely to occur.
- E. The EPA reasonably suspects that the continued storage of containers outside the building at the Premises constitutes a pollution incident.
- F. Better Drums is the occupier of the Premises and the EPA reasonably suspects that Better Drums caused the pollution incidents referred to above.
- G. The EPA sent a draft clean-up notice (no. 1106659) to Better Drums by registered post on 14 October 2009, and requested that any comments on the draft clean-up notice be made by 21 October 2009. The EPA has not received any comments from Better Drums in relation to the draft notice and has decided to issue clean-up notice no. 1106659.

DIRECTION TO TAKE CLEAN-UP ACTION

1. The Environment Protection Authority directs SYDNEY DRUM MACHINERY PTY LTD to take the following clean-up action:

Clean-Up Notice

Department of
Environment, Climate Change and Water NSW



- (a) Remove, or relocate within the building at the Premises, all containers that contain liquid wastes **by 28 October 2009**;
- (b) Remove, or relocate within the building at the Premises, all containers that have not been washed or reconditioned to remove waste residue **by 4 November 2009**; and
- (c) Remove, or relocate within the building at the Premises, all containers stored outside the building **by 18 November 2009**.

FEE TO BE PAID

You are required by law to pay a fee of \$433 for the administrative costs of issuing this notice.

It is an offence not to pay this fee. However you can apply for an extension of time to pay the fee or for the fee to be waived. At the end of this notice there is information about how and when to pay the fee and how to apply for an extension or a waiver of the fee.

.....
Ms Jacqueline Ingham

Unit Head

Waste Operations

(By Delegation)

INFORMATION ABOUT THIS CLEAN-UP NOTICE

This notice is issued under section 91 of the Protection of the Environment Operations Act 1997.

It is an offence against the Act not to comply with a clean-up notice unless you have a reasonable excuse.

Penalty for not complying with this notice

The maximum penalty for a corporation is \$1,000,000 and a further \$120,000 for each day the offence continues. The maximum penalty for an individual is \$250,000 and a further \$60,000 for each day the offence continues.

Cost recovery from the person who caused the incident

If you comply with this clean-up notice but you are not the person who caused the pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the incident.

Deadline for paying the fee

The fee must be paid by **no later than 30 days after the date of this notice**, unless the Environment Protection Authority extends the time to pay the fee, or waives the fee.

How to pay the fee

Possible methods of payment are listed on the last page of the attached invoice/statement.

Clean-Up Notice



Please include the payment slip from the attached invoice/statement with your payment.

How to apply for an extension of time to pay/waive the fee

Any application for and extension of time to pay the fee or for the fee to be waived should be made in writing to the Environment Protection Authority and sent to, Manager Waste Operations, PO Box A290 Sydney South NSW 1232. The application should set out clearly why you think your application should be granted.

Other costs

The Protection of the Environment Operations Act allows the Environment Protection Authority to recover from you reasonable costs and expenses it incurs in monitoring action taken under this notice, ensuring the notice is complied with and associated matters. (If you are going to be required to pay these costs and expenses you will later be sent a separate notice called a "Notice Requiring Payment of Reasonable Costs and Expenses").

Continuing obligation

Under section 319A of the Act, your obligation to comply with the requirements of this notice continues until the notice is complied with, even if the due date for compliance has passed.

Variation of this notice

This notice may only be varied by subsequent notices issued by the Environment Protection Authority.



Photo 1: Storage of containers outside, including liquid waste stored in the containers.

Clean-Up Notice



Environment,
Climate Change
& Water

SYDNEY DRUM MACHINERY PTY LTD ,
Trading as BETTER DRUMS,
ABN 89 102 625 507,
75 CHRISTIE STREET,
ST MARYS NSW 2760

Attention: Mr. IMAD (EDDIE) OSMAN-KARIM

Notice Number 1126545
File Number Lic08/129-04
Date 20-Apr-2011

NOTICE OF CLEAN-UP ACTION

BACKGROUND

- A. The Environment Protection Authority ("EPA") is responsible for the administration and enforcement of the Protection of the Environment Operation Act 1997 ("the POEO Act").
- B. Sydney Drum Machinery Pty Ltd trading as Better Drums ("Better Drums") conducts the scheduled activity of container reconditioning at 75 Christie Street St Marys NSW ("the Premises"). Activities conducted at the Premises are regulated by an environment protection licence (No. 12893 ["the Licence"]).
- C. On 16 March 2011 EPA authorised officers conducted an inspection of the Premises. During the inspection, the authorised officers observed that approximately **6,648** containers were stored at the Premises. The containers stored at the Premises consisted of approximately:
 - (i) 625 IBCs stored outside the building;
 - (ii) 2,027 IBCs stored inside the building;
 - (iii) 2,798 200L Plastic Drums stored inside the building;
 - (iv) 238 200L Metal Drums stored inside the building; and
 - (v) 960 25L Plastic containers stored inside the building.
- D. Storing approximately 238 200L Metal Drums at the Premises constitutes a breach of condition O5.2 of the Licence, which states: *The number of metal drums at the Premises must not exceed 100 at any one time.*
- E. Storing approximately 6,648 containers at the Premises constitutes a breach of condition O5.3 of the Licence, which states: *The total number of containers (including drums or intermediate bulk containers ("IBCs")) at the premises must not exceed 3000 at any one time.*
- F. Storing containers outside the building constitutes a breach of condition O5.4 of the Licence, which states: *All containers shall be stored wholly within the building.*

Clean-Up Notice



Environment,
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& Water

- G. The storage of containers outside the building at the Premises constitutes a circumstance where there is likely to be a leak, spill or escape of liquid waste or waste residue, as a result of which pollution is likely to occur.
- H. The EPA reasonably suspects that a pollution incident has occurred, is occurring and is likely to occur at the Premises, from the storage of containers outside the building and the excessive total number of containers (including drums and IBCs) stored at the Premises.
- I. As a result of the above, the EPA requires Sydney Drum Machinery Pty Ltd to take the following clean-up action set out in this Notice.

DIRECTION TO TAKE CLEAN-UP ACTION

EPA directs SYDNEY DRUM MACHINERY PTY LTD to take the following clean-up action:

- 1. Remove, or relocate all containers stored outside the building to within the building at the Premises **by 24 June 2011**.
- 2. Remove all excess containers (including drums or IBCs) stored at the Premises, over the 3000 container limit, to a place that can lawfully receive them **by 24 June 2011**.
- 3. Remove all metal drum containers stored at the Premises, over the 100 metal drum limit, to a place that can lawfully receive them **by 24 June 2011**.

This notice is issued under section 91 of the POEO Act.

FEE TO BE PAID

You are required by law to pay a fee of \$444 for the administrative costs of issuing this notice.

It is an offence not to pay this fee. However you can apply for an extension of time to pay the fee or for the fee to be waived. At the end of this notice there is information about how and when to pay the fee and how to apply for an extension or a waiver of the fee.

.....
Ms Jacqueline Ingham
Unit Head
Waste Operations
(By Delegation)

INFORMATION ABOUT THIS CLEAN-UP NOTICE

This notice is issued under section 91 of the Protection of the Environment Operations Act 1997.

It is an offence against the Act not to comply with a clean-up notice unless you have a reasonable excuse.

Penalty for not complying with this notice

The maximum penalty for a corporation is \$1,000,000 and a further \$120,000 for each day the offence continues. The maximum penalty for an individual is \$250,000 and a further \$60,000 for each day the offence continues.

Clean-Up Notice



Environment,
Climate Change
& Water

Cost recovery from the person who caused the incident

If you comply with this clean-up notice but you are not the person who caused the pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the incident.

Deadline for paying the fee

The fee must be paid by **no later than 30 days after the date of this notice**, unless the EPA extends the time to pay the fee, or waives the fee.

How to pay the fee

Possible methods of payment are listed on the last page of the attached invoice/statement.

Please include the payment slip from the attached invoice/statement with your payment.

How to apply for an extension of time to pay/waive the fee

Any application for an extension of time to pay the fee or for the fee to be waived should be made in writing to the EPA and sent to Manager Waste Operations, PO Box A290, Sydney South, NSW 1232. The application should set out clearly why you think your application should be granted.

Other costs

The Protection of the Environment Operations Act allows the EPA to recover from you reasonable costs and expenses it incurs in monitoring action taken under this notice, ensuring the notice is complied with and associated matters. (If you are going to be required to pay these costs and expenses you will later be sent a separate notice called a "Notice Requiring Payment of Reasonable Costs and Expenses").

Continuing obligation

Under section 319A of the Act, your obligation to comply with the requirements of this notice continues until the notice is complied with, even if the due date for compliance has passed.

Variation of this notice

This notice may only be varied by subsequent notices issued by EPA.

Clean-Up Notice

Licence - 12893



Office of
Environment
& Heritage

SYDNEY DRUM MACHINERY PTY LTD

Trading as BETTER DRUMS

ABN 89 102 625 507

75 CHRISTIE STREET

ST MARYS NSW 2760

Attention: Eddie Osman

Notice Number 1502921
File Number LIC08/129
Date 25-Nov-2011

NOTICE OF CLEAN-UP ACTION

BACKGROUND

- A. The Environment Protection Authority ("EPA") is responsible for the administration and enforcement of the *Protection of the Environment Operations Act 1997* ("the Act").
- B. At 11.30 am on 24 November 2011, the authorised officers of the EPA inspected 77 Christie St St Marys (Lot 1332 DP 586330) ("the impacted site").
- C. At 12.00 pm on the 24 November 2011, authorised officers of the ("EPA") also inspected the adjoining facility at 75 Christie Street St Marys (Lot 1331 DP 586330) ("the Premises") which holds environment protection licence No. 12893 ("the Licence") for container reconditioning and waste processing.
- D. The Premises is occupied by SYDNEY DRUM MACHINERY PTY LTD Trading as BETTER DRUMS ("the licensee").
- E. Licence Condition O2.1 requires that:
"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.
- F. On 5 October 2011 the EPA suspended Licence 12893 (Notice Number: 1501637).
- G. Condition 3b of Notice 1501637 requires that:
"The Premises must be maintained in a condition which minimises or prevents any pollution of waters from the Premises".
- H. During the inspection on the 24 November 2011 EPA officers observed:
 - a. A black, odourous liquid pooled across a section of the floor of the factory located at the northern end of the impacted site;

Clean-Up Notice



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- b. Pooling of a similar liquid between the northern end of that factory and southern wall of the Premises.
- c. Indications of a phytotoxic impact on the grass at the location described in Hb;
- d. Evidence of a waste water tank overflow at the Premises. The waste water tank is located within the waste water treatment plant and adjacent to the section of the southern wall described in Hb;
- I. During the inspection on the 24 November 2011 Mr Eddie Osman, the representative of the Licensee, stated words to the effect of:
 - a. That waste water had overflowed from the waste water tank due to a pump failure three days ago;
 - b. The waste water had then flowed under the concrete slab wall due to a failed seal;
 - c. The waste water had flowed from the failed seal, onto the impacted site and into the workshop; and
 - d. The Licensee was responsible for the pollution event.
- J. EPA officers issued the Licensee verbal clean up directions on 24 November 2011 to cease use of the waste water treatment plant until such time as the containment area is repaired and to commence clean up of the impacted site;
- K. The following directions to take clean-up action confirm those verbal directions referred to in J above.

DIRECTION TO TAKE CLEAN-UP ACTION

The EPA directs SYDNEY DRUM MACHINERY PTY LTD to take the following clean-up action:

- 1. **Immediately** cease using the waste water treatment plant until such time as the area is dry and effectively repaired; and
- 2. In keeping with Direction 1 engage a suitably qualified and experienced professional to access and repair the waste water treatment plant containment area to ensure this area is impervious to all liquids contained within; and provide the EPA with a timeframe for completing these repair works before **3pm Tuesday 29 November 2011**;
- 3. **Immediately** take steps to engage a suitably qualified and experienced chemical spill clean up company to clean up and make safe all impacted areas of the spill **before 3pm Friday 25 November 2011**; and;
- 4. The Licensee shall not recommence operation of the waste water treatment plant until such time as Direction 1, 2, and 3 have been implemented to the satisfaction of the EPA.

FEE TO BE PAID

- You are required by law to pay a fee of \$455 for the administrative costs of issuing this notice.
- It is an offence not to pay this fee. However you can apply for an extension of time to pay the fee or for the fee to be waived. At the end of this notice there is information about how and when to pay the fee and how to apply for an extension or a waiver of the fee.

Clean-Up Notice



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.....
Jacqueline Ingham

Unit Head

Waste Operations

(by Delegation)

INFORMATION ABOUT THIS CLEAN-UP NOTICE

- This notice is issued under section 91 of the Protection of the Environment Operations Act 1997.
- It is an offence against the Act not to comply with a clean-up notice unless you have a reasonable excuse.

Penalty for not complying with this notice

- The maximum penalty for a corporation is \$1,000,000 and a further \$120,000 for each day the offence continues. The maximum penalty for an individual is \$250,000 and a further \$60,000 for each day the offence continues.

Cost recovery from the person who caused the incident

- If you comply with this clean-up notice but you are not the person who caused the pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the incident.

Deadline for paying the fee

- The fee must be paid by **no later than 30 days after the date of this notice**, unless the EPA extends the time to pay the fee, or waives the fee.

How to pay the fee

- Possible methods of payment are listed on the last page of the attached invoice/statement.
- Please include the payment slip from the attached invoice/statement with your payment.

How to apply for an extension of time to pay/waive the fee

- Any application for and extension of time to pay the fee or for the fee to be waived should be made in writing to the EPA. The application should set out clearly why you think your application should be granted.

Clean-Up Notice



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Other costs

- The Protection of the Environment Operations Act allows the EPA to recover from you reasonable costs and expenses it incurs in monitoring action taken under this notice, ensuring the notice is complied with and associated matters. (If you are going to be required to pay these costs and expenses you will later be sent a separate notice called a "Notice Requiring Payment of Reasonable Costs and Expenses").

Continuing obligation

- Under section 319A of the Act, your obligation to comply with the requirements of this notice continues until the notice is complied with, even if the due date for compliance has passed.

Variation of this notice

- This notice may only be varied by subsequent notices issued by the EPA.

Clean-Up Notice

Licence - 12893



Office of
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SYDNEY DRUM MACHINERY PTY LTD

Trading as BETTER DRUMS

ABN 89 102 625 507

75 CHRISTIE STREET

ST MARYS NSW 2760

Attention: Mr IMAD (EDDIE) OSMAN-KARIM

Notice Number 1503352
File Number LIC08/129
Date 16-Dec-2011

NOTICE OF CLEAN-UP ACTION

BACKGROUND

- A. The Environment Protection Authority ("EPA") is responsible for the administration and enforcement of the *Protection of the Environment Operations Act 1997* ("the Act").
- B. At 12:50 pm on 14 December 2011, the authorised officers of the EPA inspected 77 Christie St St Marys (Lot 1332 DP 586330) ("the impacted site").
- C. At 13.05 pm on the 14 December 2011, authorised officers of the ("EPA") also inspected the adjoining facility at 75 Christie Street St Marys (Lot 1331 DP 586330) ("the Premises") which holds environment protection licence No. 12893 ("the Licence") for container reconditioning and waste processing.
- D. The Premises is occupied by SYDNEY DRUM MACHINERY PTY LTD Trading as BETTER DRUMS ("the licensee").
- E. Licence Condition O2.1 requires that:
 - "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.*
- F. On 5 October 2011, the EPA suspended Licence 12893 (Notice Number: 1501637).
- G. Condition 3b of Notice 1501637 requires that:
 - "The Premises must be maintained in a condition which minimises or prevents any pollution of waters from the Premises".*
- H. On 25 November 2011, the EPA issued Clean Up Notice 1502921 to the Licensee.

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- I. During the inspection on the 14 December 2011, EPA officers observed:
- a. Pooling red, brown and white, odourous liquid between the northern end of that factory and southern wall of the Premises.
 - b. Indications of a phytotoxic impact on the grass at the location described in I)a);
 - c. Evidence of a spill of a red, brown and white odourous liquid originating from the rear of the container wash bay area at the Premises adjacent to the waste water treatment plant as described in Clean Up Notice 1502921. The container wash bay area is located adjacent to the section of the southern wall of the Premises described in I)a);
 - d. A new pump had been installed at the rear of the wash bay area;
 - e. Mr Eddie Osman, the representative of the Licensee poke his finger through a gap in the sealant of the southern wall of the Premises showing the EPA officers where the red, brown and white odourous liquid pooled on the impacted site was originating from.
- J. During the inspection on the 14 December 2011, Mr Eddie Osman, the representative of the Licensee, stated words to the effect of:
- a. The waste water must have spilled due to the pump failure in the container wash bay;
 - b. Attempts had been made to repair the pump, however, parts of the pump were not repairable due to the corrosive nature of the waste water;
 - c. A new pump had been installed yesterday, 13 December 2011;
 - d. The waste water then must have flowed under the concrete slab wall due to a failed seal;
 - e. The waste water had flowed from the failed seal, onto the impacted site; and
 - f. The Licensee was responsible for the pollution event.
- K. EPA officers issued the Licensee verbal clean up directions on 14 December 2011 to cease use of the container wash bays and the waste water treatment plant until such time as the containment area is repaired and to commence clean up of the impacted site;
- L. The following directions to take clean-up action confirm those verbal directions referred to in K above.

DIRECTION TO TAKE CLEAN-UP ACTION

The EPA directs SYDNEY DRUM MACHINERY PTY LTD to take the following clean-up action:

- 1. **Immediately** cease using the container wash bays and waste water treatment plant until such time as the area is dry and effectively repaired; and
- 2. In keeping with Direction 1 engage a suitably qualified and experienced professional to access and repair the container wash bay and waste water treatment plant containment area to ensure this area is impervious to all liquids contained within; and provide the EPA with a timeframe for completing these repair works before **3pm Thursday 22 December 2011**;
- 3. **Immediately** take steps to engage a suitably qualified and experienced chemical spill clean up company to clean up and make safe all impacted areas of the spill **by 12 midday Friday 16 December 2011**; and;
- 4. The Licensee shall not recommence operation of the waste water treatment plant until such time as Direction 1, 2, and 3 have been implemented to the satisfaction of the EPA.

Clean-Up Notice



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FEE TO BE PAID

- You are required by law to pay a fee of \$455 for the administrative costs of issuing this notice.
- It is an offence not to pay this fee. However you can apply for an extension of time to pay the fee or for the fee to be waived. At the end of this notice there is information about how and when to pay the fee and how to apply for an extension or a waiver of the fee.

.....
Jacqueline Ingham

Unit Head

Waste Operations

(by Delegation)

INFORMATION ABOUT THIS CLEAN-UP NOTICE

- This notice is issued under section 91 of the Protection of the Environment Operations Act 1997.
- It is an offence against the Act not to comply with a clean-up notice unless you have a reasonable excuse.

Penalty for not complying with this notice

- The maximum penalty for a corporation is \$1,000,000 and a further \$120,000 for each day the offence continues. The maximum penalty for an individual is \$250,000 and a further \$60,000 for each day the offence continues.

Cost recovery from the person who caused the incident

- If you comply with this clean-up notice but you are not the person who caused the pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the incident.

Deadline for paying the fee

- The fee must be paid by **no later than 30 days after the date of this notice**, unless the EPA extends the time to pay the fee, or waives the fee.

How to pay the fee

- Possible methods of payment are listed on the last page of the attached invoice/statement.
- Please include the payment slip from the attached invoice/statement with your payment.

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How to apply for an extension of time to pay/waive the fee

- Any application for and extension of time to pay the fee or for the fee to be waived should be made in writing to the EPA. The application should set out clearly why you think your application should be granted.

Other costs

- The Protection of the Environment Operations Act allows the EPA to recover from you reasonable costs and expenses it incurs in monitoring action taken under this notice, ensuring the notice is complied with and associated matters. (If you are going to be required to pay these costs and expenses you will later be sent a separate notice called a "Notice Requiring Payment of Reasonable Costs and Expenses").

Continuing obligation

- Under section 319A of the Act, your obligation to comply with the requirements of this notice continues until the notice is complied with, even if the due date for compliance has passed.

Variation of this notice

- This notice may only be varied by subsequent notices issued by the EPA.

Clean-Up Notice

Licence - 12893



Office of
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SYDNEY DRUM MACHINERY PTY LTD

Trading as BETTER DRUMS

ABN 89 102 625 507

75 CHRISTIE STREET

ST MARYS NSW 2760

Attention: Mr IMAD (EDDIE) OSMAN-KARIM

Notice Number 1503772
File Number LIC08/129
Date 17-Jan-2012

NOTICE OF CLEAN-UP ACTION

BACKGROUND

- A. The Environment Protection Authority ("EPA") is responsible for the administration and enforcement of the *Protection of the Environment Operations Act 1997* ("the Act").
- B. At approximately 01:45hrs on 16 January 2012, a fire impacted the office area and part of the warehouse of the facility located at 75 Christie Street St Marys (Lot 1331 DP 586330) ("the Premises") which holds environment protection licence No. 12893 ("the Licence") for container reconditioning and waste processing.
- C. The Premises is occupied by SYDNEY DRUM MACHINERY PTY LTD Trading as BETTER DRUMS ("the licensee").
- D. Licence Condition O2.1 requires that:
 - "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.*
- E. On 5 October 2011, the EPA suspended Licence 12893 (Notice Number: 1501637).
- F. Condition 3b of Notice 1501637 requires that:
 - "The Premises must be maintained in a condition which minimises or prevents any pollution of waters from the Premises".*
- G. On 25 November 2011, the EPA issued Clean Up Notice 1502921 to the Licensee.
- H. On 16 December 2011, the EPA issued Clean Up Notice 1503352 to the Licensee.
- I. The Premises has a 200,000L underground stormwater retention tank.
- J. WorkCover NSW has issued multiple improvement notices to ensure that adequate provision is made for the containment of spills from the water treatment tanks holding various classes of dangerous

Clean-Up Notice



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goods and to develop, implement and maintain a waste treatment system to ensure that the tanks are inspected, cleaned and maintained in a safe operating/working condition.

- K. EPA officers inspected the Premises at 16:30hrs on 16 January 2012. During the inspection the EPA officers observed:
- The fire had been contained;
 - The fire appeared to be limited to the office area with minor damage to the warehouse;
 - The fire did not appear to impact the liquid waste stored within the warehouse;
 - The Premises was without power;
 - Liquid waste had entered the wash bays;
 - Liquid waste had entered the bunding of the waste water treatment system and the above ground waste storage tanks; and
 - The bunding is inadequate for the volume of waste stored in the above ground tanks.
- L. During the inspection of 16 January 2012, Eddie Osman-Karim, the representative of the Licensee stated words to the effect of:
- the licensee was unaware of the spill of liquid waste;
 - the licensee was unaware of how the spill of liquid waste occurred; and
 - the licensee was unaware of where the spill of liquid waste was occurring within the liquid waste treatment and storage system.
- M. The EPA officers reasonably suspected that a pollution incident had occurred, was occurring and is likely to occur, due to the spill of liquid waste at the Premises.
- N. EPA officers issued the Licensee verbal clean up directions on 16 January 2012 to commence clean up of the liquid waste and to isolate the stormwater retention tank;
- O. On 17 January 2012, EPA outlined changes to the verbal clean up directions to Eddie Osman-Karim.
- P. The following directions to take clean-up action confirm those verbal directions referred to in N above.

DIRECTION TO TAKE CLEAN-UP ACTION

The EPA directs SYDNEY DRUM MACHINERY PTY LTD to take the following clean-up action:

- Immediately** cease using the container wash bays and waste water treatment plant until such time as the area is dry and the equipment is effectively repaired;
- Immediately** take steps to engage a suitably qualified and experienced chemical spill clean up company to appropriately classify the liquid waste in all impacted areas of the spill. The liquid waste is to be transported to or disposed of at a facility that can lawfully receive that type of waste and all impacted areas are to be made safe by **5pm Tuesday 17 January 2012**;
- Immediately** engage a suitably qualified expert to isolate the stormwater retention tank so that any liquid wastes spilt at the Premises does not leave the Premises by **5pm Tuesday 17 January 2012**;
- Monitor and maintain appropriate levels of stormwater in the stormwater retention tank;
- In keeping with Direction 1 engage a suitably qualified and experienced professional to access and repair the container wash bays and waste water treatment plant to ensure the equipment is maintained in a condition which minimises or prevents any pollution from the Premises; and provide the EPA with a timeframe for completing these repair works by **5pm Friday 20 January 2012**;
- All liquid waste contained within the 4 x 45,000L and 1 x 20,000L above ground storage tanks is to be appropriately classified and is to be transported to or disposed of at a facility that can lawfully receive that type of waste by **5pm Tuesday 24 January 2012**;

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7. The licensee must provide receipts or dockets showing:
 - a. that the liquid waste removed from the Premises has been transported to or disposed of at a facility that can lawfully receive that type of waste by **5pm Wednesday 25 January 2012**.
The information and records must be submitted to the Manager Waste Operations, Environment Protection Authority, PO Box A290 Sydney South NSW 1232; and
8. The Licensee shall not recommence operation of the waste water treatment plant until such time as Direction 1, 2, 3, 4, 5, 6 and 7 have been implemented to the satisfaction of the EPA.

FEE TO BE PAID

- You are required by law to pay a fee of \$455 for the administrative costs of issuing this notice.
- It is an offence not to pay this fee. However you can apply for an extension of time to pay the fee or for the fee to be waived. At the end of this notice there is information about how and when to pay the fee and how to apply for an extension or a waiver of the fee.

.....
Jacqueline Ingham
Unit Head
Waste Operations
(by Delegation)

INFORMATION ABOUT THIS CLEAN-UP NOTICE

- This notice is issued under section 91 of the Protection of the Environment Operations Act 1997.
- It is an offence against the Act not to comply with a clean-up notice unless you have a reasonable excuse.

Penalty for not complying with this notice

- The maximum penalty for a corporation is \$1,000,000 and a further \$120,000 for each day the offence continues. The maximum penalty for an individual is \$250,000 and a further \$60,000 for each day the offence continues.

Clean-Up Notice



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Cost recovery from the person who caused the incident

- If you comply with this clean-up notice but you are not the person who caused the pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the incident.

Deadline for paying the fee

- The fee must be paid by **no later than 30 days after the date of this notice**, unless the EPA extends the time to pay the fee, or waives the fee.

How to pay the fee

- Possible methods of payment are listed on the last page of the attached invoice/statement.
- Please include the payment slip from the attached invoice/statement with your payment.

How to apply for an extension of time to pay/waive the fee

- Any application for and extension of time to pay the fee or for the fee to be waived should be made in writing to the EPA. The application should set out clearly why you think your application should be granted.

Other costs

- The Protection of the Environment Operations Act allows the EPA to recover from you reasonable costs and expenses it incurs in monitoring action taken under this notice, ensuring the notice is complied with and associated matters. (If you are going to be required to pay these costs and expenses you will later be sent a separate notice called a "Notice Requiring Payment of Reasonable Costs and Expenses").

Continuing obligation

- Under section 319A of the Act, your obligation to comply with the requirements of this notice continues until the notice is complied with, even if the due date for compliance has passed.

Variation of this notice

- This notice may only be varied by subsequent notices issued by the EPA.

Clean-Up Notice

Licence - 12893



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SYDNEY DRUM MACHINERY PTY LTD

Trading as BETTER DRUMS

ABN 89 102 625 507

75 CHRISTIE STREET

ST MARYS NSW 2760

Attention: Mr IMAD (EDDIE) OSMAN-KARIM

Notice Number	1503916
File Number	LIC08/129
Date	24-Jan-2012

NOTICE OF CLEAN-UP ACTION

BACKGROUND

- A. The Environment Protection Authority ("EPA") is responsible for the administration and enforcement of the Protection of the Environment Operations Act 1997 ("the Act").
- B. At approximately 12:30am on 23 January 2012, a fire impacted the warehouse of a facility at 75 Christie Street, St Marys (Lot 1331, DP 586330) ("the Premises") which holds environment protection licence No. 12893 ("the Licence") for container reconditioning and waste processing.
- C. The Premises is occupied by SYDNEY DRUM MACHINERY PTY LTD trading as BETTER DRUMS ("the licensee").
- D. Licence Condition O2.1 requires that:
 - "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."*
- E. On 5 October 2011, the EPA suspended Licence 12893 (Notice Number: 1501637)
- F. Condition 3b of Notice 1501637 requires that:
 - "The Premises must be maintained in a condition which minimises or prevents any pollution of waters from the Premises".*
- G. On 25 November 2011, the EPA issued Clean Up Notice 1502921 to the Licensee.
- H. On 16 December 2011, the EPA issued Clean Up Notice 1503352 to the Licensee.

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- I. On 17 January 2011, the EPA issued Clean Up Notice 1503772 to the Licensee to contain and remove liquid waste from the Premises due to risks associated with a fire at the office area of the Premises on 16 January 2011.
- J. The Premises has a 200,000L underground stormwater retention tank.
- K. EPA officers inspected the Premises on 23 January 2012. During the inspection the EPA officers observed:
 - a. The fire had been contained;
 - b. The fire had extensively damaged the warehouse area of the Premises;
 - c. Access to the fire damaged building at the Premises was restricted;
 - d. The integrity of the above ground tanks was compromised;
 - e. Liquid waste had leaked from the Premises onto a neighbouring premises and into a culvert connecting the Premises to South Creek.
 - f. Temporary measures were in place isolating the stormwater retention tank and adjacent stormwater pit; and
 - g. Temporary measures were in place diverting liquid waste draining from the fire damaged building at the Premises into the stormwater retention pit.
- L. The EPA officers reasonably suspected that a pollution incident had occurred, was occurring and is likely to occur, due to the spill of liquid waste at the Premises.
- M. EPA officers issued the Licensee verbal clean up directions on 24 January 2012 to isolate the stormwater retention tank and adjacent stormwater pit; direct all run off from the fire damaged building at the Premises to the stormwater retention tank; commence clean up of the liquid waste contained within the stormwater retention tank and adjacent stormwater pit and once access is granted to the fire damaged building, all liquid waste contained within the 4 x 45,000L and 1 x 20,000L above ground storage tanks is to be appropriately classified and is to be transported to or disposed of at a facility that can lawfully receive that type of waste; and to provide receipts or dockets showing that the liquid waste removed from the Premises has been transported to or disposed of at a facility that can lawfully receive that type of waste.
- N. The following directions to take clean-up action confirm those verbal directions referred to in M above.

DIRECTION TO TAKE CLEAN-UP ACTION

The EPA directs SYDNEY DRUM MACHINERY PTY LTD to take the following clean-up action:

- 1. **Immediately** engage a **suitably qualified expert** to isolate the stormwater retention tank so that any liquid wastes spilt at the Premises does not leave the Premises by **5pm 24 January 2012**;
- 2. **Immediately** direct all run off from the fire damaged building at the Premises to the stormwater retention tank so that any liquid wastes do not leave the Premises by **5pm 24 January 2012**;
- 3.
 - a. **Immediately** monitor and maintain an appropriate level of liquid waste in the stormwater retention tank and the adjacent stormwater pit ensuring the retention tank does not fill in excess of 30% of their capacity;
 - b. The liquid waste contained within the stormwater retention tank and the adjacent stormwater pit is to be appropriately classified and removed by a suitably qualified and experienced chemical spill clean up company ;

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- c. The liquid waste is to be transported to or disposed of at a facility that can lawfully receive that type of waste;
4. Within one week of access being granted to the fire damaged building, all liquid waste contained within the 4 x 45,000L and 1 x 20,000L above ground storage tanks is to be appropriately classified and is to be transported to or disposed of at a facility that can lawfully receive that type of waste; and
5. The licensee must provide receipts or dockets showing that the liquid waste removed from the Premises has been transported to or disposed of at a facility that can lawfully receive that type of waste within one week of that waste being transported from the Premises.

The information and records must be submitted to the Manager Waste Operations, Environment Protection Authority, PO Box A290 Sydney South NSW 1232.

FEE TO BE PAID

- You are required by law to pay a fee of \$455 for the administrative costs of issuing this notice.
- It is an offence not to pay this fee. However you can apply for an extension of time to pay the fee or for the fee to be waived. At the end of this notice there is information about how and when to pay the fee and how to apply for an extension or a waiver of the fee.

.....
Jacqueline Ingham
Unit Head
Waste Operations

(by Delegation)

INFORMATION ABOUT THIS CLEAN-UP NOTICE

- This notice is issued under section 91 of the Protection of the Environment Operations Act 1997.
- It is an offence against the Act not to comply with a clean-up notice unless you have a reasonable excuse.

Penalty for not complying with this notice

- The maximum penalty for a corporation is \$1,000,000 and a further \$120,000 for each day the offence continues. The maximum penalty for an individual is \$250,000 and a further \$60,000 for each day the offence continues.

Clean-Up Notice



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Cost recovery from the person who caused the incident

- If you comply with this clean-up notice but you are not the person who caused the pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the incident.

Deadline for paying the fee

- The fee must be paid by **no later than 30 days after the date of this notice**, unless the EPA extends the time to pay the fee, or waives the fee.

How to pay the fee

- Possible methods of payment are listed on the last page of the attached invoice/statement.
- Please include the payment slip from the attached invoice/statement with your payment.

How to apply for an extension of time to pay/waive the fee

- Any application for and extension of time to pay the fee or for the fee to be waived should be made in writing to the EPA. The application should set out clearly why you think your application should be granted.

Other costs

- The Protection of the Environment Operations Act allows the EPA to recover from you reasonable costs and expenses it incurs in monitoring action taken under this notice, ensuring the notice is complied with and associated matters. (If you are going to be required to pay these costs and expenses you will later be sent a separate notice called a "Notice Requiring Payment of Reasonable Costs and Expenses").

Continuing obligation

- Under section 319A of the Act, your obligation to comply with the requirements of this notice continues until the notice is complied with, even if the due date for compliance has passed.

Variation of this notice

- This notice may only be varied by subsequent notices issued by the EPA.

Variation of Clean-Up Notice

Licence - 12893



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SYDNEY DRUM MACHINERY PTY LTD

Trading as BETTER DRUMS

ABN 89 102 625 507

75 CHRISTIE STREET

ST MARYS NSW 2760

Attention: Mr IMAD (EDDIE) OSMAN-KARIM

Notice Number	1503835
File Number	Lic08/129-06
Date	19-Jan-2012

VARIATION OF NOTICE OF CLEAN-UP ACTION

BACKGROUND

- A. The Environment Protection Authority ("EPA") is responsible for the administration and enforcement of the *Protection of the Environment Operations Act 1997* ("the Act").
- B. The Environment Protection Authority (EPA) issued Notice of Clean-up Action No. 1503772 to SYDNEY DRUM MACHINERY PTY LTD Trading as BETTER DRUMS ("the Licensee") on 17-Jan-2012.
- C. The Licensee holds environment protection licence No. 12893 ("the Licence") for container reconditioning and waste processing at 75 Christie Street St Marys (Lot 1331 DP 586330) ("the Premises").
- D. At 15:20 on 17 January 2012, authorised officers of the EPA inspected 77 Christie St St Marys (Lot 1332 DP 586330) ("the Impacted Site").
- E. During the inspection of the Impacted Site, EPA officers observed:
 - i. An off white, odourous liquid, pooled across a section of the floor of the factory located at the northern end of the impacted site;
 - ii. Pooling of a similar liquid between the northern end of that factory and southern wall of the Premises.
- F. The off white, odourous liquid was similar to that observed within the wash bays and waste water treatment system bunding at the Premises on 16 January 2012 and 17 January 2012.
- G. The EPA officers reasonably suspected that a pollution incident had occurred, was occurring and is likely to occur, as the spill of liquid waste at the Premises was impacting the Impacted Site.

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- H. EPA officers issued the Licensee verbal clean up directions on 17 January 2012 to commence clean up of the liquid waste impacting the Impacted site in addition to clean up directions detailed in Clean Up Notice 1503772. The Licensee understood and agreed to the verbal directions issued;
- I. The variation of Clean Up Notice 1503772 to take additional clean-up action confirms those verbal directions referred to in H above.
- J. The variation of Clean Up Notice 1503772 also corrects Paragraph P of the original Clean Up Notice background.

VARIATION OF NOTICE OF CLEAN-UP ACTION

By this notice the EPA varies Notice of Clean-up Action No. 1503772 ("the previous notice") in the following manner:

The Background Paragraph,

P. The following directions to take clean-up action confirm those verbal directions referred to in N above.
is replaced by:

P. The following directions to take clean-up action confirm those verbal directions referred to in N and O above.

The EPA Clean up direction:

*2. **Immediately** take steps to engage a suitably qualified and experienced chemical spill clean up company to appropriately classify the liquid waste in all impacted areas of the spill. The liquid waste is to be transported to or disposed of at a facility that can lawfully receive that type of waste and all impacted areas are to be made safe by **5pm Tuesday 17 January 2012**;*
and

8. The Licensee shall not recommence operation of the waste water treatment plant until such time as Direction 1, 2, 3, 4, 5, 6 and 7 have been implemented to the satisfaction of the EPA.

is replaced by:

*2a. **Immediately** take steps to engage a suitably qualified and experienced chemical spill clean up company to appropriately classify the liquid waste in all impacted areas of the spill at the Premises. The liquid waste is to be transported to or disposed of at a facility that can lawfully receive that type of waste and all impacted areas are to be made safe by **5pm Tuesday 17 January 2012**;*

*2b. **Immediately** take steps to engage a suitably qualified and experienced chemical spill clean up*

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company to appropriately classify the liquid waste in all impacted areas of the spill at the Impacted Site. The liquid waste is to be transported to or disposed of at a facility that can lawfully receive that type of waste and all impacted areas are to be made safe by **5pm Thursday 19 January 2012**;

and

8. The Licensee shall not recommence operation of the waste water treatment plant or wash bays until such time as Directions 1, 2a, 2b, 3, 4, 5, 6 and 7 have been implemented to the satisfaction of the EPA.

.....
Jacqueline Ingham

Unit Head

Waste Operations

(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 110 of the Protection of the Environment Operations Act 1997.
- Details provided in this notice will be available on the EPA's Public Register (<http://www.environment.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.
- This notice operates from the date of issue of this notice unless a later date is specified in this notice.

Notice of Clean Up Action

Section 91 Protection of the Environment Operations Act 1997



ABLEWAY WASTE MANAGEMENT PTY LTD,
ABN 70 089 042 133,
PO BOX 1109,
CASTLE HILL NSW 1765
STANDARD POST

Attention: Mr. Charles Tsaur

Notice Number 1031002
File Number 302190A1/02
Date 02-Oct-2003

NOTICE OF CLEAN-UP ACTION

BACKGROUND

- A) The Environment Protection Authority ("EPA") is responsible for the administration and enforcement of the Protection of the Environment Operations Act 1997. ("POEO Act").
- B) Tranteret Pty Ltd (A.C.N 002 261 752) currently own Lot 125 & 2 DP734445 37 & 55 Lee Holm St. St Marys NSW 2760 ("the premises"). The premises are leased to Hallinans Pty Ltd (A.B.N 76060618055). Tranteret Pty Ltd and Hallinans Pty Ltd have common directors.
- C) Tranteret Pty Ltd leased approximately 3000 square metres of Lot No 2 DP 734445, 55 Lee Holm Road St Marys NSW to Ableway Waste Management Pty Ltd (A.C.N 70089042133). The area is located in the south eastern corner of the premises. The area includes part of the eastern boundary of the premises, parallel with Lee Holm Drive and the entire southern boundary of the premises. ("the licensed area")
- D) Ableway Waste Management Pty Ltd ("the licensee") currently holds environment protection licence No 11508 ("the licence") under the POEO Act in relation to the licensed area.
- E) This Notice relates to the premises at Lot 2, DP 734445, 55 Lee Holm Road St Marys NSW 2760. ("the licensed area") and environment protection licence no 11508.
- F) The licence authorises the licensee to undertake the activities of storing and processing used tyres within the licensed area. The license allows no more than 250 tonnes of tyres to be stored at the premises at any one time.
- G) Bulk Waste Management Pty Ltd (A.B.N 2500105379) trading as ("Hallinans") also holds an environment protection licence No 10562 for the generation and storage of hazardous waste at the premises. This licence is held for part of Lot 2 55 Lee Holm St. St Marys NSW. Hallinans also store tyres on Lot 125 37 Lee Holm St. St Marys. However tyres stored on Lot 125 of the premises, are used tyres generated from Hallinans day to day operations. Hallinans do not accept tyres on a commercial basis. The tyres stored by Hallinans are stored on Lot 125 and are not stored near or on Lot 2. Hallinans store

Notice of Clean Up Action

Section 91 Protection of the Environment Operations Act 1997



approximately 50 tyres at any one time. The tyres stored on Lot 125 and that are part of Hallinans day to day operations are not subject to this notice.

- H) On 30 June 2003, the EPA received correspondence from Advanced Envirosafe acting on behalf of the licensee. The correspondence requested a six week extension of time for relocation of the licensee to 15 August 2003.
- I) On 1 July 2003 the EPA conducted a site inspection of the licensed area and made the following observations;
- a. approximately 1100 tonnes of tyres and pieces of tyre waste stored on the licensed area. This is in contravention with licence condition number L5.1 of the licence that limits the quantity of tyres stored at the licensed area to 250 tonnes at any one time;
 - b. No processing or removing of tyres or pieces of tyre waste from the licensed area was observed at the time of inspection;
 - c. The tyres and pieces of tyres waste were not stockpiled in accordance with the *New South Wales Fire Brigade Guidelines for Bulk Storage of Rubber Tyres September 1997, Revised version July 2001*. The tyres and pieces of tyre waste were stockpiled haphazardly, increasing the risk of fire and contravening licence condition O3.1(d) of the licence.
 - d. Liquid with a oily sheen was pooled on the ground surface within the stockpiled area. The liquid could potentially pollute wastes as the liquid is not in a bunded area.
 - e. Drums labelled as chemicals, including fuel was stored outside a bunded area. Leaks or spills from these drums potentially could pollute waters and storage of these fuels in proximity to the tyres is a fire risk and a potential accelerant in the event of a fire.
 - f. At the site inspection the EPA were advised by Hallinans that the lease for Ableway Waste Management Pty Ltd to occupy the licensed area had expired.
- I. On 15 July 2003, the EPA sent further correspondence to the licensee highlighting breaches of the licence and requiring immediate compliance with the licence. The licence conditions breached included;
- a. breach of condition L5.1 regarding the quantity of tyre waste stockpiled on the licensed area;
 - b. breach of condition O3.1 (a), (b) and (c) regarding the manner in which the tyre waste was stockpiled;
 - c. breach of condition L1.1 and L1.2 regarding chemicals stored outside a bunded area;
 - d. breach of condition L5.2 regarding the acceptance of liquid food waste within the licensed area.
- J. The EPA reasonably suspects that a pollution incident, namely a fire, could potentially occur on the licensed area and is likely to cause an escape of substances including air and water pollution from the licensed area. Additionally the EPA reasonably suspects that waste has been placed on the premises unlawfully in contravention of the license.

Notice of Clean Up Action

Section 91 Protection of the Environment Operations Act 1997



DIRECTION TO TAKE CLEAN-UP ACTION

1. The Environment Protection Authority directs ABLEWAY WASTE MANAGEMENT PTY LTD to take the following clean-up action:
 - a) By **Friday 14 November 2003**, the licensee must remove and lawfully dispose of the following waste (s) and material(s) stored on the licensed area;
 - I. All used tyres and related materials, including shredded tyres, whole tyres (both car and truck tyres) and pieces of tyre; and
 - II. All other plant, equipment, fuels and chemicals connected with the carrying on of the activities authorised by the licence.
 - b) All material (s) and waste(s) removed from the licensed area under the requirements of this notice must only be transported by an appropriately licensed transporter and disposed of at a facility which may lawfully receive the material (s) and waste (s).
 - c) The licensee must obtain copies of all receipts, dockets and invoices prepared and completed in relation to the transport and disposal of each load of material (s) and waste (s) as a requirement of this notice. The records must;
 - i. Show the type and quantity of material(s) and waste (s) transported from the licensed area;
 - ii. Show the type and quantity of material (s) and waste (s) disposed from the licensed area;
 - iii. Date of transport of each load of material(s) and waste (s);
 - iv. Vehicle registration of the truck(s) used to transport the material (s) and waste (s) from the licensed area;
 - v. Name and contract details of the transporter used to transport the material(s) and waste (s);
 - vi. Name and contact details of the disposal location for each load of material(s) and waste (s)
 - d) By **5pm Friday 21 November 2003**, the records specified in clause (c) of this notice must be sent to; *Manager Sydney Waste, PO Box A290 SYDNEY SOUTH NSW 1232.*
 - e) From **2 October 2003** onwards, the licensee must not receive used tyres or related materials, including shredded tyres, whole tyres (both car and truck tyres) or pieces of tyre at the licensed premises.
 - f) Nothing in this notice is construed as requiring the removal of buildings, fences or office equipment.
2. This notice is issued under section 91 of the Protection of the Environment Operations Act 1997.

Notice of Clean Up Action

Section 91 Protection of the Environment Operations Act 1997



3. It is an offence against the Act not to comply with a clean-up notice unless you have a reasonable excuse.

FEE TO BE PAID

4. You are required by law to pay a fee of \$320 for the administrative costs of issuing this notice.
5. It is an offence not to pay this fee. However you can apply for an extension of time to pay the fee or for the fee to be waived. At the end of this notice there is information about how and when to pay the fee and how to apply for an extension or a waiver of the fee.

.....

Mr Julian Thompson
Principal Officer
Sydney Waste
(By Delegation)

INFORMATION ABOUT THIS NOTICE

Details provided in this notice will be available on the EPA's Public Register in accordance with section 308 of the Protection of the Environment Operations Act 1997.

The maximum penalty for a corporation is \$250,000 and a further \$120,000 for each day the offence continues. The maximum penalty for an individual is \$120,000 and a further \$60,000 for each day the offence continues.

If you comply with this clean-up notice but you are not the person who caused the pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the incident.

The fee must be paid by **no later than 30 days after the date of this notice**.

Any application should be made in writing to the Environment Protection Authority and sent to *Manager Sydney Waste PO Box A290 Sydney South NSW 1232*. The application should set out clearly why you think your application should be granted.

The Protection of the Environment Operations Act allows the Environment Protection Authority to recover from you reasonable costs and expenses it incurs in monitoring action taken under this notice, ensuring the notice is complied with and associated matters. (If you are going to be required to pay these costs and expenses you will later be sent a separate notice called a "Notice Requiring Payment of Reasonable Costs and Expenses").

ATTACHMENT J

Suburb/City	Site Description	Site Address	Activity that caused contamination	s60 Form received	EPA Initial Assessment	EPA Management Class
South Albury	BP Border Service Station	Corner Ebdon Street and Wodonga Place	Service Station	Yes	In progress	B
South Bowenfels	Shell Coles Express Service Station	Lot 1 Great Western Highway	Service Station	Yes	In Progress	E
South Grafton	Mobil Service Station	Corner Pacific Highway and Charles Street	Service Station	Yes	In progress	A
South Lismore	Former Mobil Service Station	126 - 128 Union Street	Service Station	No	Completed	G
South Penrith	Mobil Service Station	45 Aspen Street	Service Station	Yes	In progress	B
South Wentworthville	Aldi Stores Development	331-339 Great Western Highway	Metal Industry	Yes	Completed	G
South Wentworthville	Caltex Service Station	313 Great Western Hwy	Service Station	Yes	In progress	B
Springvale	Springvale Colliery	Castlereagh Highway	Unclassified	Yes	In progress	A
St Clair	Mobil Service Station	4 Endeavour Avenue	Service Station	Yes	In progress	B
St Ives	Caltex Service Station	164 Mona Vale Rd	Service Station	Yes	In progress	B
St Ives	Caltex Service Station	452 Mona Vale Road	Service Station	Yes	In progress	A
St Ives	Mobil Service Station	157 Mona Vale Road	Service Station	Yes	In progress	B
St Ives	Shell Service Station	179-181 Mona Vale Road	Service Station	Yes	Completed	C
St Ives North	Caltex Service Station	363 Mona Vale Rd	Service Station	Yes	In progress	B
St Marys	BP Service Station	76 Glossop Street	Service Station	Yes	In Progress	E
St Marys	Caltex Service Station	Wordoo St Cnr Forrester St	Service Station	Yes	In progress	B
St Marys	Integral Energy Mt Druitt Transmission Substation	69 Kurrajong Road North	Other Industry	Yes	In progress	B
St Marys	Mobil Service Station	2 Christie Street	Service Station	Yes	Completed	G
St Marys	Mobil Service Station	2 Wilson Street	Service Station	Yes	In progress	B
St Marys	Woolworths Caltex Service Station	116-118 Forrester Road	Service Station	Yes	In progress	A
St Peters	BP Express Service Station	2 Princes Highway	Service Station	Yes	In Progress	E
St Peters	Camdenville Park	May Street	Other Industry	Yes	In Progress	A B
St Peters	Cooks River Rail Terminal	20 Canal Road	Unclassified	Yes	Completed	G
St Peters	Former Tidyburn site	53 Barwon Park Road	Chemical Industry	No	Completed	C
Strathfield	Mobil Service Station	577 Liverpool Road	Service Station	Yes	In progress	B
Stroud	Caltex Service Station	Cowper St	Service Station	Yes	In progress	B



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