

**ENVIRONMENT PROTECTION ACT 1970
SECTION 62A
CLEAN UP NOTICE**

TO: SHELL REFINING (AUSTRALIA) PTY LTD
OF: REDFERN ROAD HAWTHORN EAST 3123

WHEREAS you are the occupier of premises situated at Refinery Road Corio ("the premises") upon and from which pollution has occurred.

NOW TAKE NOTICE that for the reasons stated in Attachment "A" to this notice, the Environment Protection Authority ("EPA") **HEREBY DIRECTS** you to comply with each of the requirements specified in Attachment "B" to this notice on and from the 10 June 2009 or such later date as may be specified.

DATED 10 June 2009



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ERICA JEAN FLAKEMORE
DELEGATE OF THE
ENVIRONMENT PROTECTION AUTHORITY

NOTE:

IF FOUND GUILTY OF CONTRAVENING A REQUIREMENT TO WHICH THIS NOTICE IS SUBJECT, YOU MAY BE ORDERED TO PAY A FINE OF UP TO \$272,208 (SECTION 62A(3) OF THE ACT)

ATTACHMENT "A"

REASONS FOR WHICH THE CLEAN UP NOTICE IS SERVED

The Environment Protection Authority ("EPA") has issued this notice because:

- Notification was received by an officer of EPA on Friday 29 May that surface evidence of leakage from an underground pipeline in railway reserve land adjacent to the refinery buffer zone had been observed.
- An inspection by an EPA officer on 30 May confirmed the presence and continued appearance of hydrocarbon above ground on the east fenceline of the Western Tank Farm.
- Evidence has been received from Shell Refining (Australia) Pty Ltd that the leaking hydrocarbon was similar to that stored in Tank 1004 located within the Western Tank Farm.
- EPA is satisfied that subsurface pollution has occurred on and from the premises and cleanup is required to ensure it does not pose an unacceptable risk to the environment.

ATTACHMENT "B"

REQUIREMENTS

1. Clean up of the subject site must be completed in accordance with the "YP403: Preliminary Excavation and Remedial Plan" (the excavation plan) provided to EPA on 5 June 2009, or as otherwise agreed with the EPA.
2. The occupier must provide a copy of an Environmental Management Plan addressing specific environmental controls to be enacted during the excavation and remediation phase to EPA prior to commencement of site clean up.
3. Undertake a validation sampling program to confirm the removal of hydrocarbon contaminated material prior to commencement of any subsequent remediation activities.
4. Sampling must be undertaken in line with EPA Publication 441 *A Guide to the Sampling and Analysis of Waters, Wastewaters, Soils and Wastes*.
5. All recovered hydrocarbon contaminated liquid wastes must be disposed of to the refinery slops system or via an accredited transport company to an authorised disposal facility.
6. All hydrocarbon contaminated soil/sand must be taken to Schoe Park for incorporation into the existing composting program or disposed of via an accredited transport company to an authorised disposal facility.
7. All other hydrocarbon contaminated material must be disposed of via an accredited transport company to an authorised disposal facility unless otherwise agreed with the EPA.
8. A report must be provided to EPA no later than 2 weeks following the completion of remediation of the site which includes:
 - i) all monitoring results for soil and groundwater as outlined in condition 3 of this document and in the excavation plan;
 - ii) volume of hydrocarbon contaminated liquid removed during remediation;
 - iii) volume of hydrocarbon contaminated sand/soil removed during remediation;
 - iv) volume of clean fill required to remediate the site; and
 - v) copies of waste transport certificates (as required).

