

# NOTICE

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

**TO: SPI NETWORKS (GAS) PTY LTD**

**OF: LEVEL 31, 2 SOUTHBANK BOULEVARD, SOUTHBANK**

**WHEREAS** you are the occupier of premises situated at 26 Grano Street, Ararat ("the premises") on which or 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 17 August 2006 or such later date as may be specified.

**DATED 17 August 2006**



.....  
MAXWELL KEITH COSTELLO  
MANAGER AUTHORITY DECISIONS

**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 \$257,832 (SECTION 62A(3) OF THE ACT)



*because this is our home*

EPA INFORMATION CENTRE

40 City Road Southbank Victoria 3006 Tel 03 9695 2722 Fax 03 9695 2780

[www.epa.vic.gov.au](http://www.epa.vic.gov.au)

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## ATTACHMENT "A"

### REASONS FOR WHICH THE CLEAN UP NOTICE IS SERVED

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

1. Correspondence provided by Environmental and Earth Sciences on behalf of TXU Networks Pty Ltd dated 6 July 2004 indicates that soil at the premises has been impacted by hydrocarbon waste.
2. EPA is satisfied that pollution of land has occurred at the premises.
3. Contaminated soil from other sites is being stored at the premises.
4. It is your intent to process, treat and handle petroleum hydrocarbon and polycyclic aromatic hydrocarbon impacted soil at the premises.
5. From 21 November 2005 to 21 December 2005, 12 complaints were made to the Authority by residents living in the surrounding area about odour from the premises.
6. An inspection of the premises by Officers of EPA on 25 November 2005 confirmed that the odour was detectable beyond the boundary of the premises.
7. EPA has determined that the complaints received about odour from the premises are justified and that the odour emissions from the premises have been offensive to the senses of human beings beyond the premises boundary.
8. EPA is satisfied that pollution has occurred on and from the premises (see Attachment "C").
9. EPA is satisfied that the activities associated with the stockpiling, mixing and treatment of petroleum hydrocarbon and polycyclic aromatic hydrocarbon impacted soil at the premises may cause the release of volatile organic compounds, dust and/or odour to the atmosphere and/or to water that may cause pollution.
10. EPA is satisfied that action is required to abate the potential for further adverse environmental impact upon and from the premises.
11. EPA is satisfied that clean-up of the site is necessary to protect the surrounding environment and prior to redevelopment of the site

## ATTACHMENT "B"

### REQUIREMENTS

#### Environmental Audit

1. By 15 September 2006, the occupier must engage an environmental auditor appointed pursuant to the *Environment Protection Act 1970*, to prepare an environmental audit report pursuant to section 53V of the Act.
2. The occupier must provide to the environmental auditor engaged in accordance with Requirement 1, copies of Remediation Action Plan (RAP) from Environmental and Earth Sciences dated April 2005, The Odour Management Plan (OMP), Report No. 205018, and any other relevant document relating to the proposed methodology for the remediation of contaminated soil at the premises.
3. By 1 December 2006, the occupier must submit to EPA the environmental audit report, prepared in accordance with Requirement 1, in relation to any possible harm or detriment to any beneficial use of the water, air and land environments caused by the handling, storage and treatment of contaminated soil at the premises, as determined by:
  - a) review of any system, plans, procedures, monitoring programs, data, records, reports or other information relevant to the scope of the audit;
  - b) review of any procedures or monitoring programs to determine whether these are best practice for this industry;
  - c) inspection of any relevant activities, processes, plant and/or equipment on the premises;
  - d) an evaluation of the use of an enclosed area described in Requirement 8 for the preliminary treatment of odorous contaminated soil; and
  - e) collection and/or modelling of any data as the auditor sees fit.
4. Specifically, the environmental audit report referred to in Requirement 3 must comment on the adequacy of any the proposed measures to manage risk to the environmental during the remediation works and the ability of the monitoring program to measure any off-site environmental impact during the implementation of the RAP, including:
  - a) identifying any additional measures necessary to ensure the risk to beneficial uses is minimised and maintained at an acceptable level; and
  - b) where the level of risk to beneficial uses is determined to be unacceptable, recommend any additional measures to reduce risks and subsequently maintain the risks at an acceptable level.

## **Remediation Action Plan (RAP)**

5. Subject to requirement 6, petroleum hydrocarbon and polycyclic aromatic hydrocarbon impacted soil must be remediated in accordance with the RAP, such that bioremediation works are completed by 30 April 2008.
6. Petroleum hydrocarbon and polycyclic aromatic hydrocarbon impacted soil at the premises may only be treated on the premises following the EPA receiving the environmental audit report referred to in Requirement 3 and providing specific written approval to the occupier.
7. Notwithstanding anything in the RAP or any subsequent revisions of the RAP, where there is any conflict between the requirements of this notice and the RAP, the requirements of this notice apply.
8. Excavation and primary treatment of petroleum hydrocarbon and polycyclic aromatic hydrocarbon impacted soil from Zone A (as defined in Attachment C) or any other area required by EPA, must be conducted within an enclosed area.
9. The enclosed area referred to in Requirement 8 must operate under negative pressure, with air collected and treated prior to discharge to the atmosphere.
10. All stockpiles must be adequately covered to prevent the generation of odours and dust.
11. The remediated material referred to in requirement 5 may only be
  - a) returned for reuse at land owned by SPI Networks (Gas) Pty Ltd;
    - i) 98 Forest Street, Castlemaine,
    - ii) 47-49 Wimmera Street, Stawell, or
    - iii) 120 Wilson Street, Horsham; or
  - b) disposed of at a site permitted to accept the material.
12. Each of the receiving sites identified in requirement 11a may not receive more material than that excavated from the site during the original clean up works.

## **Performance Standards**

13. Odours offensive to the senses of human beings must not be discharged beyond the boundary of the premises.
14. Airborne visible particles must not be discharged beyond the boundary of the premises.
15. Only clean stormwater may be discharged beyond the boundary of the premises.
16. The occupier must ensure that vehicles entering and leaving the bio-remediation area do not deposit waste, sand, soil, clay or stones on abutting roads.

17. Petroleum hydrocarbon and polycyclic aromatic hydrocarbon impacted soil must be remediated to achieve clean up levels as specified by the Environmental Auditor engaged to conduct the environmental audit of the condition of the land pursuant to section 53W of the *Environment Protection Act 1970*.

### **Reporting**

18. The occupier must provide EPA and make available to the community written bi-monthly reports, or a frequency varied by EPA in writing, on the progress of bio-remediation of petroleum hydrocarbon and polycyclic aromatic hydrocarbon impacted soil at the premises.

19. The reports referred to in Requirement 18 must address the following:

- a) a complete account of any sampling undertaken at the premises during the reporting period,
- b) the integrity of the banded bio-remediation area,
- c) update on the progress of bio-remediation and the expected timeframe for completion of the bio-remediation process,
- d) details of any complaints received about bio-remediation operations at the premises,
- e) results of any odour surveys undertaken at the premises.

20. The occupier must participate in a community liaison program.

21. Within 60 days of the completion of bio-remediation activities at the premises, the occupier must submit to EPA a report that includes results of validation testing carried out at the completion of the bio-remediation process to demonstrate that remediation targets have been met.

22. The occupier must provide written notification to EPA when the bio-remediation process is completed.

23. The occupier must immediately notify EPA of any complaints resulting from bio-remediation operations at the premises by either:

- a) contacting the EPA Geelong office between 9am-5pm on weekdays on (03) 5226 4825;
- b) contacting the EPA Pollution Watch line during afterhours on 1800 444 004;
- c) faxing the EPA Geelong office on 5226 4632; or
- d) email [southwest.region@epa.vic.gov.au](mailto:southwest.region@epa.vic.gov.au).

24. By 30 April 2008 the occupier must cease all bio-remediation activities at the premises.

