

Genesis Facility (Landfill)

Final Compliance Audit Report – Waste Disposal by Application to Land Audit Program

EPL 13426

HONEYCOMB DRIVE, EASTERN CREEK NSW 2766

March 2019

www.epa.nsw.gov.au

Environment Protection Authority

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February 2019

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EXECUTIVE SUMMARY

An Environment Protection Authority (EPA) compliance audit was undertaken at Genesis Facility Landfill ('the premises') located at Eastern Creek. The site was audited as part of an EPA compliance audit program focussing on the management of activities related to waste disposal by application to land and the emergency management procedures in the licensee's Pollution Incident Response Management Plan (PIRMP). The premises is operated by Dial-A-Dump (EC) Pty Ltd ('the licensee').

The main objectives of the EPA audit were to assess compliance with the following audit criteria:

- conditions attached to Environment Protection Licences (EPLs) including operating, limit, monitoring, reporting and special conditions and any other relevant legislative requirements; and
- the legislative requirements relating to Pollution Incident Response Management Plans (PIRMPs) – Part 5.7A of the POEO Act and Chapter 7, Part 3A of the POEO (General) Regulation 2009.

Assessments of compliance were made using information collected during an audit inspection, information supplied by the licensee and a review of records and documentation relating to the premises. The procedures for conducting EPA compliance audits are detailed in the *Compliance Audit Handbook* (EPA 2017). The audit inspection was carried out by EPA Officers on 17 December 2018.

The findings of the audit indicate that the licensee was not complying with some of the audit criteria. The non-compliances included:

- Sediment ponds not being maintained to retain appropriate freeboard to minimise potential discharges offsite.
- Concentration limits being exceeded during discharge at overflow points.
- Receiving and disposal of waste not permitted by the licence.
- Operating the landfill outside permitted operating hours.
- Not covering waste as required by the licence.
- Not controlling noxious weed and pest in an effective manner.
- Using alternative cover without approval and using alternative cover material that does not comply with the approved specification.
- Monitoring not being conducted in accordance with the licence
- Not notifying the EPA of a pollution incident as required by the licence
- The Pollution Incident Response Management Plan (PIRMP) not containing all the required information

An action program has been developed to address all identified non-compliances. A risk assessment is used to colour code non-compliances according to their environmental significance. The action program includes a timeframe for non-compliances to be addressed to ensure the licensee deals with issues raised through the audit process in a timely manner.

Some areas for improvement have been recorded against some conditions of the licence where environmental performance could be improved. Recommendation included:

- Sign posting monitoring points
- Improving the site induction to include specific material about the EPA licence and PIRMP
- Improving the sampling procedure

Further observations were also noted relating to the:

- Storage of bulk fuels
- Maintenance of spill stations
- Publishing pollution monitoring data
- Siting and maintenance of dust gauges and the Tapered Element Oscillating Microbalance (TEOM)

1 Introduction

An Environment Protection Authority (EPA) compliance audit was undertaken at Genesis Facility (Landfill) Works ('the premises') located at Eastern Creek. The site was audited as part of an EPA compliance audit program focussing on the management of activities related to waste disposal by application to land and the emergency management procedures in the licensee's Pollution Incident Response Management Plan (PIRMP). The premises is operated by Dial-A-Dump (EC) Pty Ltd ('the licensee').

The audit inspection was undertaken by EPA Officer's on 17 December 2018.

The procedures for conducting EPA Compliance Audits are detailed in the *Compliance Audit Handbook* (EPA 2018), which can be accessed on the EPA website at <http://www.environment.nsw.gov.au/resources/licensing/cahandbook0613.pdf>.

1.1 Audit Objectives

The objective of the audit was to assess the licensee's compliance with the EPA's regulatory requirements related to the premises in relation to the disposal of waste by application to land. The criteria are included in Section 1.3.

1.2 Scope of the Audit

- Geographic: Premises boundaries as assigned in respective EPL's.
- Temporal: Monitoring, reporting, operations for 1 reporting period (from 2 March 2017 to end of audit inspection on 17 December 2018).
- Temporal: Groundwater monitoring for 3 reporting periods (commencing 2 March 2015) to day of audit inspection.
- Activities:
 - receipt, storage, recycling, treatment, disposal and covering of waste;
 - leachate, groundwater, landfill gas, surface water management - including treatment and monitoring of each;
 - dust, litter, odour, fire, pest and vermin control;
 - training and competency;
 - Monitoring and recording of data and information as per the licence conditions;
 - Maintenance and operation of plant and equipment; and
 - Preparing, keeping, testing and implementing a PIRMP

Note that the following activities were not included in the scope of the audit:

- management of noise
- load based licensing requirements
- Annual return requirements
- Financial assurance requirements

1.3 Audit criteria, evidence and findings

The audit criteria (the requirements against which the auditor assesses audit evidence) were: Specific conditions attached to Environment Protection Licence 13426; and

the legislative requirements for Pollution Incident Response Management Plans - Part 5.7A of the Protection of the Environment Operations Act 1997 (POEO) and Chapter 7, Part 3A of the POEO (General) Regulation 2009.

Audit evidence was collected during a site inspection, which included discussions with relevant staff and observations of operational activities, and relevant documentation and records provided by the licensee.

The findings of the audit against the audit criteria are detailed in Tables 3 - 6. An action program (Table 7) has been developed to provide a time frame for follow-up action necessary to address any non-compliance identified.

1.4 Premises and Process Description

The development application for Dial-A-Dump (EC) Pty Ltd Genesis waste management facility at Eastern Creek. was approved in 2009 and construction commenced in 2010. The EPA (as DECCW) finalised the Environment Protection Licence on 2 March 2012. The landfilling facility (EPL 13426) quarry void is described as occupying Lot 1 and Lot 4 DP 1145808 but also refers parts of lots in Dial-A-Dump's Recycling facility under EPL 20121 occupying the adjacent site.

The facility is licensed to receive general solid waste (non-putrescible) including treated acid sulphate soils (or potentially acid sulphate soils). In addition, the facility is licensed to landfill tyres as described in the EPL and asbestos waste. There is an operational landfilling limit of 700,000 tonnes per calendar year of non-putrescible waste.

Construction and operations generally follow the principles outlined in the EPA's "Environmental Guidelines: Solid Waste Landfills" with some exemptions. Waste in incoming trucks is weighed at the weighbridge (EPL 20121) and if not containing recycled material then driven to the lower level of the old quarry for landfilling. Cover material is conveyed down to the bottom of the quarry by truck. The conveyor located to the north west of the quarry near the waste recycling centre is used to transfer finer waste derived from the recycling centre to the quarry floor to then be buried in the landfill. Conditions for immediate covering are in place according to the licence for all asbestos contaminated materials.

The leachate collection point is in the south east quadrant of the quarry and leachate is drawn from the landfill to the chemical treatment tanks (4) located to the south east and on land adjacent to the quarry. Treated leachate is disposed to sewer under a trade waste agreement. Stormwater from outside of the quarry is conveyed to either one of two detention ponds. Stormwater from areas such as the haul roads and areas that do not come directly in contact with waste is collected in a stormwater detention dam within the quarry. Water in the detention basins are used for dust suppression by the two water carts used on site. Several bores (24) have been drilled for quarterly or yearly analysis of groundwater and these analyses are subsequently reported in the annual report.

1.5 Statutory Instruments

Environment Protection Licence 13426 was issued to the licensee by the EPA under section 55 of the *POEO Act 1997*. During the temporal scope of the audit the premises was covered by the licence issues on 6 October 2015 and which was varied on 22 August 2018. Both licences are attached as Appendix A.

The scheduled activity undertaken at the premises and the relevant fee scale is:

- Waste disposal by application to land - Any capacity
- Waste Storage – other types of waster – 0> T stored

The anniversary date for the licence is 2 March.

A copy of the current version of the licence can be accessed through the EPA online public register at: <http://www.epa.nsw.gov.au/prpoeoapp/>.

1.6 Risk Assessment of Non-Compliances

A risk assessment of non-compliances was undertaken as part of the audit process to identify the relative significance of any identified non-compliance. The risk assessment involved assessing each non-compliance against two criteria:

The likelihood of environmental harm occurring

The level of environmental impact as a result of the non-compliance.

After these assessments were made a risk code was assigned using the risk analysis matrix identified in Table 1.

Table 1 Risk analysis matrix

Level of Environmental Impact	Likelihood of Environmental Harm Occurring			
		Certain	Likely	Less Likely
	High	Code Red	Code Red	Code Orange
	Moderate	Code Red	Code Orange	Code Yellow
	Low	Code Orange	Code Yellow	Code Yellow

Within the risk analysis matrix:

A **code red** risk assessment denotes that the non-compliance is of considerable environmental significance and therefore must be dealt with as a matter of priority.

A **code orange** risk assessment denotes that the non-compliance is of environmental significance however; remedying the non-compliance can be given a lower priority than a red risk assessment.

A **code yellow** risk assessment indicates that the non-compliance could receive a lower priority than a red or orange risk code, but the non-compliance is still important and must be addressed.

There are also several licence conditions that do not have a direct environmental significance, but are still important to the integrity of the regulatory system. These conditions relate to administrative, monitoring and reporting requirements. Non-compliance of these conditions is given a **code blue** risk assessment.

The colour code was used as the basis for deciding on the priority of remedial action required by the licensee and the timeframe within which the non-compliance needs to be addressed. This information is presented in the action program alongside the target/action date for the non-compliance to be addressed.

While the risk assessment of non-compliances is used to prioritise actions to be taken, the EPA considers all non-compliances to be important and licensees must ensure that all non-compliances are addressed as soon as possible.

2 Assessment of Compliance

2.1 Findings of the audit

The licensee's compliance with the audit criteria (requirements) is summarised in Table 2. The detailed findings of the audit are provided in Tables 3 – 6.

Table 2 Summary of Compliance

Compliance assessment		Number of findings
Yes (Compliant)		74
No (Not Compliant) Categorised by risk code	code red	0
	code orange	1
	code yellow	10
	code blue	17*
Not Determined		6
Total		108

* Note: The total number of Not Compliant Code Blue findings includes:


- EPL requirements – 10; and
- Pollution Incident Response Management Plan requirements - 7

Table 3 Assessment of Compliance with Environment Protection Licence 13426

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
2	Discharges to Air and Water and Applications to Land		
P1	Location of monitoring/discharge points and areas		
P1.1 – P1.3	These are statements indicating that the points referred to in the tables are identified for the purposes of monitoring and/or setting limits of pollutants discharged from the points. No assessment of compliance is required. Note that the licence in force from March 2 to 22 August 2018 contains monitoring points 2 to 27 (no point 8) and the licence in force from 22 August 2018 to 17 December 2018 contains monitoring points 2 to 32 (no point 8).		
3	Limit conditions		
L1	Pollution of waters		
L1.1 (scope - on the day of the audit Inspection)	Yes	Surface water	
L1.2 (scope - on the day of the audit Inspection)	Yes	Stormwater Diversion	
L1.3 (Scope: Duration of audit scope)	No Code Yellow	Maintenance of Appropriate Freeboard The licensee was not maintaining the sediment ponds in a manner that ensures that these sediment ponds retain an appropriate freeboard to minimise the potential for any turbid discharge during the reporting period. Monitoring results provided by the licensee indicate that on 29 November 2018 the south west surface water detention basin (EPA ID No 3) overflowed from the weir	The licensee must ensure that the sediment ponds are maintained to retain an appropriate freeboard to minimise the potential for any turbid discharge.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>(EPA ID No. 6) with a turbid discharge with levels of total suspended solids measured to be 220 mg/l.</p> <p>It is noted that the daily site visual inspection report provided for 28 November 2018, indicated that this sediment dam was full and contained relatively turbid water (NTU reported - 100) and that the detention basin had sediment build up. The report also indicates that there was over 40 mm of rain received in three consecutive days, but no overflow was reported. However, this information does not match up with the rainfall data from the Bureau of Meteorology Erskine Park Reservoir Station weather station data, which indicates that in three consecutive days there was only 14mm and not 40mm of rainfall as suggested in the visual inspection report.</p> <p>The licensee's representative indicated that they pump the water from the sediment detention basin 2 (EPA ID Point 2) daily for use in the water cart for dust suppression. However, because there were large quantities of suspended sediment washed into the sediment detention basin 3 (EPA ID Point 3), they have not been able to pump out the water from the pond for some time, as the pump was getting clogged with sediment. This was conformed on the day of the audit inspection, as the sediment dam contained turbid water.</p> <p>Although, on 29 November 2018, there was 57mm of rainfall, had the licensee maintained the dam and allowed for enough freeboard to be maintained, an overflow from the southwest dam would not have occurred <i>immediately</i>, for the reasons given above.</p> <p>The licensee was asked to provide the EPA with information about the desilting of the ponds. However, in their response the licensee informed that they have not desilted the sediment dams since they were built. The licensee believed there was</p>	


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>no need for the sediment basins to be desilted. They referred to results of water quality monitoring for recent years showing low levels of sediments and effective sediment control devices to prevent sediment from reaching the dams.</p> <p>It is noted that the licensee only undertakes water quality monitoring each quarter, therefore it is not a good indicator of sediment build-up. The daily site visual inspection report (28 November 2018) indicates that both the sediment traps and the detention basins having build-up of sediments. Unless action is taken immediately to remove sediments trapped in the control devices, sediment is invariably washed into the sediment dams.</p> <p>This is also contrary to licensee own procedures detailed in the Environmental Management Strategy (EMS) Soil, Water and Leachate Management Plan dated March 2017 which specifies: "Remove silt build-up regularly..." and "Keep sedimentation basins in a drawn-down state by preferential use of the water carts by tankers for dust suppression",</p> <p>Maintenance of Depth Indicators</p> <p>The licensee was also not maintaining the freeboard depth indicators installed in the sediment detention basins.</p> <p>On the day of the audit inspection it was observed that the depth indicators in the north western and south western detention basins were not being maintained. The depth indicators in both ponds were leaning sideways and were not indicating the correct freeboard (Photo 2).</p>	<p>The licensee must ensure that the depth indicators are maintained to accurately show the remaining freeboard.</p>

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		 <p>Photo 1: Slouching depth indicator poles in north west and south west detention basins respectively showing inclination</p>	
L1.4	Not Applicable	<p>On the day of the audit inspection no surface water was being generated that required to be diverted away from the areas where waste was being landfilled.</p> <p>However, it is noted that the licensee has measures in place to divert surface water away from areas where waste is being landfilled. The water is diverted to the in-pit dam.</p>	
L2	Concentration limits (Water and/or Land)		
L2.1/L2.2	No Code Yellow	<p>Concentration limits - EPA ID Point 5 & 6 - Water and/or Land Concentration Limits</p> <p>Based on the licensee's published monitoring results, the licensee exceeded the limit for any pollutant in the table in accordance with the requirements of the licence as follows:</p> <ul style="list-style-type: none"> EPA ID Point 6: TSS and pH were respectively 220 mg/l and 8.59 on 29/11/18 from the south west detention dam. <p>However, condition L2.4 permits limits to be exceeded, if the overflow event occurred solely because of a rainfall event at the premises exceeding 45 millimetres over any consecutive five-day period and the licensee has taken all practical measures to avoid or minimise water pollution, the licensee is not deemed to have exceeded the limit.</p>	The licensee must not exceed the limits specified for the overflow points.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>The discharge event from EPA ID Point 6 for 29/11/18, which recorded levels of TSS of 220 mg/l and pH of 8,59 was deemed to have satisfied one of the exception rules in condition L2.4 as the rainfall within the previous five-days (including 29/11/18) exceeded 45 millimetres and totalled 71 millimetres and does not place the licensee in non-compliance.</p> <p>However, the licensee was not in compliance with the second part of the rule as prescribed in condition L2.4. On the day before the overflow event, the licensee's own visual inspection report indicated that the dams were full and there was a build-up of sediment in the dams on the 28/11/18, the licensee is deemed to have not taken all practical measures to avoid or minimise water pollution. It is also noted that the rainfall for the <i>previous</i> five consecutive days was 14 millimetres (four days without rain and one day with 14mm of rain).</p> <p>The licensee is not implementing its own procedures detailed in the Environmental Management Strategy (EMS) Soil, Water and Leachate Management Plan dated March 2017 which specifies as part of Management and Mitigation Measure including : " Remove silt build-up regularly..." and "Keep sedimentation basins in a drawn-down state by preferential use of the water carts by tankers for dust suppression", especially noting that the preceding days did not register any major rainfall event.. Therefore, the licensee has not taken all practical measures to avoid or minimise water pollution and as such the licensee is deemed to have exceeded the limit for both TSS and pH on 29/11/18 at EPA ID Point 6.</p> <ul style="list-style-type: none"> EPA ID Point 5: pH was measured as 8.62 on 22/3/2017 only for the discharge event on 22/3/17 from the north west detention dam <p>The discharge event from EPA ID Point 5 for 2/23/17, which recorded a pH level of 8,562 was deemed to have satisfied one of the exception rules in condition L2.4 as the rainfall within the previous five-days exceeded 45 millimetres and totalled 47 millimetres and does not place the licensee in non-compliance.</p> <p>The licensee was requested to provide visual inspection reports for the day prior to the discharge on 22/3/17, however, only provided visual inspection reports of other areas inspected excluding the sediment detention dams. The licensee has indicated that they only</p>	

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		visually inspect the dams once a week, although in the Plan mentioned above, it is stated that the "SPM shall monitor the site daily".	
L2.3	This is a statement advising that condition L2.3 does not authorise the pollution of waters by any pollutant other than those specified in the table. No assessment of compliance is required.		
L2.4	Refer to the assessment of compliance for Condition L2.1 and L 2.2 - Concentration limits - EPA ID Point 3		
L3	Waste (Scope Last reporting period to day of audit inspection (02 March 2017 to 17 December 2018))		
L3.1	No Code yellow	<p>Receival of waste not permitted by the licence</p> <p>The licensee was not complying with the condition requiring the licensee not to accept waste that is not permitted by the licence</p> <p>During the audit scope, EPA records indicate that the licensee had received waste that was not permitted by the licence on 23 August 2018. The licensee failed to identify several loads of clinical waste that had been transported to the site as general solid waste, which was disposed at the site.</p> <p>The licensee was issued with a formal warning on 3 December 2018.</p> <p>It is noted that the licensee has systems in place to ensure that no waste that is not permitted is accepted at the premises and include:</p> <ul style="list-style-type: none"> • The licensee receives waste classification records and information about the proposed waste to be delivered for disposal, prior to receiving waste at the facility. • Weigh bridge personnel asks truck drivers for identification code and origin of waste load, and matches information with information in system • Vehicles are rejected based on incorrect details supplied at window • Reject loads are recorded in the rejected Loads Register • Video camera installed for better control of incoming loads. Weighbridge operators can view loads coming in 	The licensee must not cause, permit or allow any waste to be received at the premises, except as permitted by the licence.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<ul style="list-style-type: none"> One of the four weighbridges has a viewing platform/ladder for a spotter, but loads of 'taller' trucks cannot be inspected from that position (too low) Trucks are advised to automatically open tarps before approaching the weigh bridge; 2 Spotters at tipping face A Spotters manual enables spotter to familiarise themselves with type of incoming waste Post incident with clinical waste receipt, the licensee held tool box talks with relevant personnel <p>On the day of the audit the auditors observed the licensee receive waste at the facility including asbestos contaminated waste. The auditors did not observe the licensee receiving any waste that is not permitted by the licence.</p> <p>The EPA is concerned that the licensee, although, having procedures in place, is not ensuring the consistent application of these procedures to ensure that waste not permitted to be received is accepted for disposal at the site.</p>	
L3.2	Yes	Amount of waste landfilled	
L3.3 (Licence issued on 22 August 2018)	Yes	However, see assessment of condition O5.4	
L3.4	No Code Yellow	<p>Disposal of waste offsite</p> <p>The licensee was not disposing of all outputs produced from the waste processing and /or resource recovery facility at the landfill.</p> <p>On the day of the audit inspection the auditors observed crushed/screened waste material from the waste processing and recovery facility being deposited into the landfill via the chute. Waste material from the recycling facility is weighed continuously with weigh belt conveyors</p>	<p>The licensee must comply with the condition. The licensee must provide the EPA the following information:</p> <ul style="list-style-type: none"> The final destination of the waste with records

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>(contains two separate weigh belts) before it is transported to the bottom of the tip via the chute. During the time the auditors were on site, significant amount of waste had accumulated at the bottom of the chute (Photo 3). The licensee representative indicated that a substantial amount is transported by rail for disposal at a Queensland landfill – Greenspot.</p> <p>He also indicated that some waste was buried on site depending upon current economics. He further explained that only 'one week's supply' of waste material is stockpiled at the site near chute. This could not be verified, as it is not clear how much waste is dumped on site, and how much is transported off site. During the inspection only, small quantities (3 – 4 loads) approximately around 50 cubic meters were transported to the tip for disposal. There were 13 shipping containers stored on site and loaded during the day. No shipping containers were observed leaving the site.</p>  <p>Photo 2: Large mountain of crushed waste at bottom of chute.</p>	<p>of acceptance from the destination</p> <ul style="list-style-type: none"> • The total amount of waste that has been transported for the period 2 March 2017 to 1 March 2018. • Evidence that the waste transported is being landfilled.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>The deposited material contained large quantities of, plastics, shredded paper, pieces of wood and is considered a fire hazard.</p> <p>An analysis of weighbridge dockets provided to the EPA, indicate that waste is transported from the landfill to Queensland (see assessment of condition L5.1).</p> <p>Based on the advice provided to the auditors by the licensee's representative, the waste material that is transported is landfilled. This condition does not allow the licensee to dispose of any waste produced from the output of the waste processing facility, other than for purposes prescribed in the condition.</p> <p>The EPA is concerned that the licensee is not complying with the condition as no waste is permitted to be disposed offsite, other than for purposes specified in the licence. The EPA is also concerned that the licensee is storing large quantities of waste increasing the likelihood of fire.</p>	
L3.5	No Code yellow	<p>Disposal of waste not permitted by the licence</p> <p>The licensee was not implementing procedures to prevent the disposal of any waste that is not permitted by condition L3.1 to be disposed of at the premises.</p> <p>During the audit scope, the licensee failed to identify several loads of clinical waste that had been transported to the site as general solid waste, which was disposed at the site on 23 August 2018</p> <p>On the day of the audit inspection the licensee demonstrated that, they have in place adequate procedures to identify and prevent the disposal of any waste not permitted by condition L3.1 to be disposed of at the premises. The auditors observed waste being received at the premises and being disposed of at the active tip face. Only waste permitted by condition L3.1 was being accepted and disposed of at the premises.</p>	The licensee must not dispose of any waste at the landfill that is not permitted by the licence.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>It is noted that post incident, the licensee has held tool box talks and is taking measures to ensure that all relevant staff at the land fill strictly adhere to the procedures for inspecting loads both at the weighbridge and the tipping face.</p> <p>It is however also noted that, due to frequent turnover of staff, especially spotters and landfill supervisors, this may be a difficult task, unless the licensee develops alternative procedure to ensure constant oversight of operators.</p>	
L3.6		This is a statement indicating the type of immobilised waste which the licensee is permitted to dispose of at the premises.	
L5		Hours of operation (Scope reporting period)	
L5.1	No Code Blue	<p>Landfill hours of operation The license was not complying with the condition.</p> <p>During the audit scope, a review of weigh bridge records supplied to the EPA for the period covering the audit scope indicates that the licensee was not complying with this condition. A random examination of weighbridge records provided to the EPA for the period 01/01/2018 to 30/06/2018 indicates that the licensee was operating the landfill prior to 7:00am:</p> <p>For example, the following waste was received at the landfill on:</p> <ul style="list-style-type: none"> • 2/01/2018 a load of general rubbish with a nett weight of 14.5 tonnes at 5:45am (Docket No. GE49441) • 2/01/2018 a load of general rubbish with a nett weight of 18.92 tonnes at 6:12am (Docket No. GEN9442) • 3/01/2018 a load of of Asbestos Waste was received with a nett weight of 1.6 tonnes at 6:04am (Docket No. GEN49464) • 31/01/2018 a load of commercial waste was received with a nett weight of 3.1 tonnes at 6:00am (Docket No. GEN50434) • 31/01/2018 two loads of Waste Ex Qld were transported out from the landfill with a nett weight of 23.32 and 22.04 tonnes respectively at 6:02am and 6:03am (Docket Nos: 50434 and 50434) <p>It is noted that, for the 1st quarter of 2018 the licensee was operating the landfill prior to 7:00am the permitted time, on over 150 occasions.</p>	The licensee must operate the landfill only during hours prescribed in the licence.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		On the day of the audit inspection, which was a Monday 17 December 2018, the premises was operating at 7:30am and the landfill finished operations before 5.45pm.	
L5.2	No Code Blue	<p>Conveyor and chute system hours of operation The licensee was not complying with this condition.</p> <p>During the audit scope, a review of weigh bridge records supplied to the EPA for the period covering the audit scope indicates that the licensee was not complying with this condition. A random examination of weighbridge records provided to the EPA for the period 01/01/2018 to 30/06/2018 indicates that the chute was operational prior to 7.00am:</p> <p>On 4/01/2018 a load of general rubbish was transported from the Chute to the landfill with a nett weight of 51.1 tonnes at 5.57am (Docket No. QGE00759).</p> <p>On 2/07/2018 a load of general rubbish was transported through the Chute to the landfill with a nett weight of 67 tonnes at 5:21am (Docket No. QGE00777).</p> <p>The chute system was operating when the auditors arrived around 7:30am and was operating until they left at 5:45pm.</p>	The licensee must ensure that the conveyor and chute system is only operated during permitted hours.
L6	Potential Offensive odour		
L6.1	Statement		
4	Operating conditions		
O1	Activities must be carried out in a competent manner As activities are covered by other O conditions in the licence, assessment of those activities have been undertaken (See other O conditions below)		
O2	Maintenance of plant and equipment (Scope: on the day of the audit inspection and where necessary duration of audit scope)		
O2.1a)	All plant and equipment installed at the premises or used in connection with the licensed activity must be maintained in a proper and efficient condition		


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
	No Code Yellow	<p>The licensee is not maintaining all plant and equipment in a proper and efficient condition.</p> <p>In Pit dam</p> <p>On the day of the audit inspection the in-pit dam contained litter and rubbish that had been washed in or blown into the dam (Photo 3). The licensee indicated that they use a boat to clean the rubbish in the dam on a daily basis. However, on the day of the audit inspection, the auditors observed that the boat used to remove rubbish had sunk. The licensee indicated that the boat probably sank during the recent heavy rainfall.</p> <p>The EPA is concerned that the licensee is not maintaining the in-pit dam in a proper and efficient condition.</p>	<p>The licensee must ensure that all plant and equipment installed at the premises is maintained in a proper and efficient condition.</p>

				
	Yes	<p>Photo 3: In-pit-dam with rubbish, litter and sunken dinghy.</p> <p>Weighbridge (scope: on the day of the audit inspection)</p>		


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
	Yes	Haul Roads (scope: on the day of the audit inspection)	
	Dams See assessment of condition L1.3		
	Yes	Riser (scope: on the day of the audit inspection)	
	Yes	Wheel wash (scope: on the day of the audit inspection)	
	Yes	Water Cart (scope: on the day of the audit inspection)	
	Yes	Fences (scope: on the day of the audit inspection) However, see assessment of condition O4.2 b)	
	Yes	Monitoring equipment (scope: on the day of the audit inspection and audit duration)	
O2.1b)	All plant and equipment installed at the premises or used in connection with the licensed activity must be operated in a proper and efficient manner		
	Yes	Water Carts (scope: on the day of the audit inspection)	
	Yes	Weigh bridges (scope: on the day of the audit inspection)	
	Yes	Haul roads (scope: on the day of the audit inspection)	
	Dams (scope: on the day of the audit inspection) However, See assessment of compliance with condition L1.3		
	Not Determined	Riser (scope: on the day of the audit inspection) He riser was not operation at the time of the audit inspection as it was being upgraded.	
	Yes	Wheel wash	
	Yes	Fences (scope: on the day of the audit inspection)	

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
	Not Determined.	Monitoring Equipment Not all monitoring equipment were viewed in operation	
Area for Improvement	Sign Posting Monitoring Points On the day of the audit inspection the auditors viewed a number of sampling locations, including the sediment pond (EPA ID Points 2 & 3 the discharge locations (EPA ID Points 5 & 6) and the ground water monitoring point near the leachate ponds. None of the visited points had any markings indicating the EPA ID number. Monitoring results provided by the licensee indicate incorrect identification of monitoring points. The discharge points EPA ID Points 5 and 6 have been incorrectly identified as EPA ID Points 4 & 5. The EPA is concerned that not sign posting monitoring points can lead to confusion and the incorrect labelling of samples. The licensee should consider sign posting all sampling points with the correct EPA ID Point numbers.		
O3	Dust		
O3.1	Yes	Management of dust (scope: on the day of the audit inspection)	
O3.2	Yes	Covering of trucks (scope: on the day of the audit inspection)	
O4	Process and management		
O4.1	Yes	Entry to premises (scope: on the day of the audit inspection)	
O4.2 (a)	Yes	Implementing measure to manage pests, vermin and noxious weeds However, see O4.2 (c) below	
O4.2 (b)	No Code Orange	Effectiveness of pests and noxious weed management The licensee was not ensuring that the measures taken to eradicate noxious weeds on site are working effectively to prevent the presence of declared noxious weeds in sufficient numbers to pose an environmental hazard. The licensee inspects the site on a regular basis, however, on the day of the audit inspection the auditors observed substantial growth of noxious weeds including	The licensee must comply with the condition and ensure that noxious pests and weeds are controlled in an effective manner.


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>declared noxious weeds such as <i>Pampas grass</i> and <i>Spear and Star thistle weed</i> near the chute system within the landfill (See Photo 3 & 4) and other areas such as near sediment detention basins (Photos 5 & 6)) and overlooking the in-pit-sediment dam. It is noted that the licensee's representative noted this for discussion with personnel responsible for keeping weeds under control. It is also noted that at one point, after viewing substantive growth of weeds, the licensee's representative telephoned a person responsible for organising weed control and asked him why the weed control had not been undertaken.</p> <p>Although, the license has in place regular monitoring of pests, vermin and weeds, it appears that the monitoring process is not effective in ensuring that noxious weeds are not present in sufficient numbers to pose an environmental hazard.</p> <p>During the audit inspection the auditors also observed two wild goats and a kangaroo in an area above the sedimentation dams.</p> <p>The EPA is concerned that not effectively monitoring the growth of weed could cause:</p> <ul style="list-style-type: none"> • The substantive growth of weed, as reported above, requiring the use of larger quantities of weed eradicating spray, increasing the likelihood of pollution of waters, especially in areas near sediment detention basins which have the potential to overflow. • Increased infestation of noxious weeds to other areas of the site through wind-blown transport of noxious weed germinating seed (the auditors observed noxious weed in many areas of the landfill) including the transport of seed through the use of the in-pit-dam water for dust suppression. • Increased likelihood of contamination of waste material at the bottom of the chute system from wind-blown noxious weed germinating seed, some of which is being transported by the licensee inter-state for landfilling. It is noted 	


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>that seed from noxious weeds can remain viable (alive) for at least two years, and for some species for much longer. It is also noted that the transport of material from NSW to another State that is potentially contaminated with noxious weed seedlings is prohibited.</p> <ul style="list-style-type: none"> • Overflow of detention basins with weed germinating/seed being transported offsite and contaminating surrounding areas.  <p>Photo 4: Weeds growing hear Chute.</p> <p>The EPA is also concerned that the licensee is not monitoring the effectiveness of the pest management program, which has also been reported in several Independent audit reports previously.</p>	


Condition Number	Compliance / Risk assessment	Comment	Action required by nsee
		 <p>Photo 4a: Noxious <i>pampas</i> grass overlooking in-pit-sediment dam</p> 	


Condition Number	Compliance / Risk assessment	Comment	Action required by
		<p>Photo 5: Weeds including noxious <i>star thistle</i> growing near north-west sediment dam</p>  <p>Photo 6: Weeds including noxious <i>spear thistle</i> growing near south-west sediment dam</p>	see
O4.2 (c)	Yes	Ongoing monitoring of pests, vermin and noxious weeds However, see O4.2 (c) above.	
O4.3	Yes	Managing risks of fire However, see assessment of condition L3.4	
O4.4	Yes	Tracking of waste (scope on the day of the audit inspection)	
O5	Waste Management		

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
O5.1	Yes	Calibrated weighbridge	
O5.2	Yes	Incineration or burning of waste (scope: on the day of the audit inspection)	
O5.3	Yes	Exhuming waste (scope: on the day of the audit inspection)	
O5.4	Covering Waste		
O5.4 (a) i)	No Code Yellow	<p>The licensee had not applied daily cover to a minimum of 15 centimetres over all exposed landfill waste prior to ceasing operations at the end of each day.</p> <p>On the day of the audit inspection the auditors observed exposed waste that had not been covered with the daily cover material, in a previously filled area adjacent to the in-pit dam (photos 7 & 8). It is noted that, after being told and shown, where waste has not been covered, the licensee ensured that the waste was covered prior to the auditors leaving the site.</p> <p>It is noted that on the day of the audit inspection the licensee did not use virgin extracted material as daily cover prior to ceasing operations at the end of the audit inspection.</p> <p>On the day of the audit inspection, in an area adjacent to the designated area that was being used to dispose of asbestos waste, two small fragments (Photo 9 & 10) of suspected asbestos sheeting were identified on the surface of the cover material placed over a previously landfilled area. The two fragments were tested by the licensee using a portable asbestos analyser gun, which returned a positive result. Subsequent analysis of the two fragments at a NATA accredited lab, confirmed that they were asbestos. One of the fragments contained the minerals Chrysotile and Amosite, while the other fragment contained the minerals Chrysotile, Amosite and Crocidolite, all of which are known asbestos forming minerals. At the time of the audit the licensee could not explain the presence of the two pieces. It is noted that no other pieces of asbestos were discovered during the audit.</p>	The licensee must ensure that all exposed waste is covered daily. The licensee must also ensure that asbestos waste is covered as required by the POEO Regulation.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>The EPA is concerned that the licensee is not covering waste adequately, including asbestos waste as required by the licence and the POEO Regulation.</p>  <p>Photo 7: Exposed waste near in-pit dam</p>	


Condition Number	Compliance / Risk assessment	Comment	Action required by nsee
		 <p data-bbox="600 903 1160 943">Photo 8: Close-up of the uncovered waste.</p>	

Condition Number	Compliance / Risk assessment	Comment	Action required by see
		 <p data-bbox="602 879 1245 914">Photo 9: One of the asbestos sheeting fragments</p>	

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		 <p>Photo 10: Second fragment of asbestos sheeting</p>	
O5.4 (a) ii)	No Code Blue	<p>Using unapproved alternative cover (scope on the day of the audit inspection) The licensee was using an alternative cover material that was not approved by the EPA.</p> <p>It is noted that the licensee was permitted to undertake a 12-month trial of the alternative material 'Concover' in December 2012 and was required to provide a report to the EPA, one month after the end of the trial in December 2013.</p> <p>The licensee indicated that due to management changes the licensee forgot to send the report to the EPA. However, in 2014, an independent audit report undertaken as part of the planning development consent, identified this non-compliance. The licensee contracted a consultant to undertake a review of the trial and prepare a report as required by the EPA. However, the report was only sent to the Department</p>	The licensee must ensure that only EPA approved alternative material is used on the site.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>of Planning and not to the EPA in March 2016. In July 2016, the licensee provided a copy of the report to the EPA and requested approval for the use of 'Concover'.</p> <p>EPA records do not indicate that the EPA had formally granted approval for Concover. It is noted that in the licence variation issued on 22 August 2018, the conditions relating to the trial of the alternative cover was removed.</p> <p>The license has continuously used the alternative cover material since the trial ending in December 2013 without obtaining formal approval from the EPA. Further, even after being informed that the licensee was contravening licence requirements by using an unapproved alternative cover material, the auditors observed, Concover being sprayed onto the waste at the end of the day's operation on the day of the audit inspection.</p> <p>It is noted that, on 21 December 2018, four days after the audit inspection the licensee has requested EPA approval for the use of the alternative material, by way of a licence variation.</p>	
O5.4 b)	Not applicable	The condition does not apply as there were no areas on the site that were exposed for over 90 days that needed intermediate cover on the day of the audit inspection.	
O5.4 c)	Yes	Adequate cover material on the day of the audit inspection	
O5.5	Yes	Not allowing asbestos waste in Chute (on the day of the audit inspection)	
O5.6	Yes	Exposing previously landfilled areas (scope: on the day of the audit inspection)	
O5.7	Yes	Irrigation of leachate (on the day of the audit inspection)	

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
O5.8	Not Determined	<p>It could not be determined whether the water which contacts waste, other than virgin excavated material, was being managed as leachate and not disposed of at the landfill.</p> <p>As any water that comes in contact with waste is considered leachate, the auditors were not able to determine whether the water from the in-pit sediment dam used by the licensee to suppress dust from the active tipping face, could be considered to be leachate for the following reasons:</p> <p>On the day of the audit inspection the auditors observed exposed waste in a previously filled area adjacent to the in-pit dam (see photo 4 above and Photo 11 below)). Due to the heavy rainfall event on the previous day to the audit inspection, there were signs that stormwater that had been in contact with the waste forming leachate is likely to have discharged through the deep erosion gullies observed on the bund wall separating the landfilling area and in-pit dam located at a lower elevation. Photo 11 clearly shows the pooling of leachate (stormwater that had come in contact with waste).</p> <p>If stormwater from the exposed waste in the filled area discharge into the in-pit dam, the use of this water for dust suppression activities, could be classified as disposal of leachate.</p>	The licensee must ensure that water that comes in contact with waste, is managed as leachate and not disposed of at the landfill.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		 <p>Photo 11: Exposed waste with pooling of leachate right above the deep erosion gully</p>	
O5.9	No Code Blue	<p>Disposal of waste in landfill void The licensee was not disposing of all waste within the landfill void.</p> <p>The licensee transports waste dumped into the landfill through the chute system to Queensland for landfilling.</p> <p>See also condition L2.4</p>	The licensee must dispose of waste only in the landfill void unless otherwise specified in the licence.
O5.10	No	Filling Plan	The licensee must submit and maintain a


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
	Code Blue	<p>The licensee has not submitted and maintained a filling plan for the disposal of waste sequentially in each landfill cell, that is updated at intervals no greater than 12 months.</p> <p>The licensee provided the auditors with a landfill filling plan. The filling plan has the following sequence covering the scope of the audit: 24th February 2016; 22 June 2018 and again 22nd June 2018</p> <p>The licensee has not updated the filling plan for 26 months.</p> <p>The licensee has not submitted a filling plan that has been updated at intervals no greater than 12 months.</p>	filling plan the is updated at least at intervals of no greater than 12 months.
O5.11	Outside scope of audit		
O5.12	Yes	Managing landfilling and leachate levels	
O5.13 (a) Scope: 2 March 2017 to 21 August 2018)	No Code Yellow	<p>Maintaining leachate levels</p> <p>The licensee was not maintaining the leachate levels at leachate monitoring point 26 at no more than -45m AHD below RL 25m AHD.</p> <p>Annual return data for this period indicate that the standing water levels taken at leachate monitoring point 26 had a highest value of -36.861m AHD and mean value of -40.458m AHD, which is more than the specified -45m AHD.</p>	No action required as the licence has been varied and this condition has been removed.
O5.13 (b) Scope: 2 March 2017 to 21 August 2018)	Yes	Maintaining leachate levels	
O5.13 (c)	Yes	Maintaining leachate levels	


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
Scope: 2 March 2017 to 21 August 2018)			
O5.13 Maintaining leachate levels (scope 22 August 2018 to day of audit)	Yes	Maintaining leachate levels	
O5.14 (scope 22 August 2018 to day of audit) (scope 22 August 2018 to day of audit)	Not Applicable		
O5.15 (scope 22 August 2018 to day of audit)	Not Applicable	As above	
O5.16 – O5.19	Not applicable	The condition has not been triggered during the scope of the audit.	

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
(scope 22 August 2018 to day of audit)			
O5.20 – O5.24	Leachate Management Contingency Systems These conditions have not been triggered.		
O6	Other Operating Conditions		
O6.1	Not Determined	It could not be determined if any groundwater extracted from groundwater interception systems is in accordance with the report titled “genesis Landfill Facility	
O6.2 (a) & (b)	Yes	Management of Litter.	
O6.3	Yes	Controlling pests and vermin However, see assessment of O4.2 b)	
O6.4	Yes	Training of staff See Area for improvement below	The licensee must comply with the condition.
Area for Improvement	The licensee should consider, including in the induction information about the licensee’s environmental responsibilities, requirements of licence conditions and information about the PIRMP.		
O6.5	Not Determined	It could not be determined whether the licensee was maintaining bunding that is impervious to the fluids contained in the leachate tanks. On the day of the audit inspection, the auditors observed an earthen/gravelly bund and floor that was variable in its design and permeability (photos: 12 - 14). The licensee was asked to provide a report/documentation relating to the design and testing of the bund and/or an engineering certificate attesting to the impervious	The licensee must ensure that the bunding is impervious to the fluids contained. The licensee must provide the EPA with evidence to confirm the permeability of the bund wall.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>nature of the bund wall. However, the licensee was unable to provide any such evidence.</p> <p>It was also observed that pipes were located within the bund in a concrete sump that were clearly going underneath the bund wall, potentially providing a pathway for escape of liquids and which may compromise the integrity of the bund wall unless the joints between the pipes and the bund are sealed adequately to prevent leakage (Photo 14).</p> <p>It is noted that the bund wall has the capacity to hold 110% of the largest tank and the tanks are a distance away from the bund wall, enabling it to contain pressurised leaks or spills.</p> <p>The EPA is concerned that the leachate bund wall and floor may not provide sufficient permeability to prevent any spill or leak from escaping and potentially causing pollution of water and/or groundwater.</p>	

Condition Number	Compliance / Risk assessment	Comment	Action required by nsee
		 <p>Photo 12: Leachate tank bund wall</p> 	

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>Photo. 13: Leachate tank bund wall and floor.</p>  <p>Photo14: Sump with pipes going under the bund wall</p>	
O6.6	<p>No</p> <p>Code Yellow</p>	<p>Storage of chemicals</p> <p>The licensee was not storing chemicals on site in appropriately designed impervious bunded area.</p> <p>The licensee was storing a small number of drums and one 205l drum with unknown substances outside an appropriately designed impervious bund.</p>	<p>The licensee must ensure that all chemicals are stored in appropriately designed impervious bunded area.</p>

Condition Number	Compliance / Risk assessment	Comment	Action required by nsee
		<p>On the day of the audit inspection the auditors observed a number of 20l drums presumably drums containing the two components of Concover and a 205 l drum on a wooden pallet with an unknown substance being stored on soil outside the designated bunded yellow mini shipping container (Photo 15). An unchained compressed air cylinder was also observed next to the drums with Concover and the Easy Lawn Unit that is used to spray Concover</p> <p>The EPA is concerned that storing Concover without appropriate containment increases the likelihood of potential stormwater contamination.</p> <p>See also further observation.</p> 	

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		Photo 15: Chemicals and fuels being stored without bunding	
M1.1		This condition requires monitoring results to be recorded and retained as set out in M1.2 and M1.3. See assessments for M1.2 and M1.3.	
M1.2 a)	Yes	EPA ID Point 2,3,5,6, 7 and 9 to 27 <i>Keep records in legible form</i>	
M1.2 b)		<i>Keep records for at least 4 years</i> It is beyond the scope of the audit to determine whether the licensee will keep the current monitoring records for a period of at least four years.	
M1.2 c)	Yes	<i>Produce records to authorised officer</i>	
M1.3 a)	Yes	<i>Keeping of records with respect to any samples required to be collected as part of this licence</i> <i>Date of sampling</i>	
M1.3 b)	Yes	<i>Time of sampling</i>	
M1.3 c)	Yes	<i>Point at which sample was taken</i>	
M1.3 d)	Yes	<i>Name of person who took the sample</i>	
M1.4	Not Applicable	The condition is not applicable as during the scope of the audit there has been no reported discharge of any leachate to surface water.	
M2 (scope 2 March 2017 to 2 March 2018)	Requirement to monitor concentration of pollutants discharged		
M2.1 – M2.2 (scope 2 March 2017 to 21)	EPA Point 2,3,5,6, 7 and 9 to 27		
	No Code Blue	<i>Monitor at each monitoring/discharge point</i> Condition M2.1 requires the licensee to sample at monitoring points 2.3.5.6.7 and points 9 – 27 including 21 and 22 at BH 10D and BH 12D. As reported in their annual return the licensee did not monitor from these locations, as these bores	The licensee must ensure that all samples are collected at prescribed locations or

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
August 2018)		were blocked for some time. Instead the licensee sampled at points BH 25d and BH 26d.	renegotiate the monitoring points with the EPA.
	Yes	<i>Monitor the concentration of each pollutant</i>	
	Yes	<i>Use of sampling method</i>	
	Yes	<i>Units of measure</i>	
	Yes	<i>Sampling Frequency</i>	
M2.1 – M2.2 (scope 22 August 2018 to 17 December 2018)	EPA Point 2,3,5,6, 7 and 9 to 27		
	No Code Blue	<i>Monitor at each monitoring/discharge point</i> As indicated above the licensee did not monitor from these locations. Instead the licensee sampled at points BH 25d and BH 26d.	The licensee must ensure that all samples are collected at prescribed locations or renegotiate the monitoring points with the EPA.
	Yes	<i>Monitor the concentration of each pollutant</i>	
	Yes	<i>Use of sampling method</i>	
	Yes	<i>Units of measure</i>	
	No Code Blue	<i>Frequency</i> The license is required to monitor the parameters Zinc, Total Organic Carbon and Ammonia monthly. Monitoring results provided by the licensee indicate that these parameters were sampled quarterly and not monthly as required.	The licensee must ensure that samples are collected as required by the licence.


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		It is noted that in the previous licence (prior to 22 August 2018), the license was required to sample Zinc, Total Organic Carbon and Ammonia yearly, yearly and quarterly respectively	
M2.3	This is a statement defining the meaning of Special frequency 1		
M3	Testing Methods – concentration limits Monitoring in accordance with the Approved Methods Publication		
M3.1 (Scope 22 August 2018 to 17 December 2018)	Yes	Sample collection and handling guidelines	
	No Code Blue	<p>Methods of analysis</p> <p>The license uses a NATA accredited laboratory to analyse the pollutants. The laboratory that carries out analysis for the pollutants is accredited by NATA to use in-house methods.</p> <p>The laboratory is using NATA accredited in-house methods and not the NATA accredited Approved Methods as required by the licence. In some instances (e.g. pH the laboratory is accredited by NATA for the approved method (APHA 4500 H+B and in-house method Inorg-011), however, it is using the in-house method and not the NATA accredited approved method.</p> <p>It is also noted that the in-house method used by the laboratory is undertaken <i>in accordance</i> with the APHA method, however, the laboratory results provided by the licensee indicate that the results for water analyses for pH are indicative only, as the analysis was undertaken outside of the APHA storage times.</p> <p>If the licensee wishes to use alternative methods (e.g.in-house methods) for the analysis of pollutants, the licensee must get prior written approval from the EPA to use the alternative methods.</p>	Monitoring must be carried out in accordance with the Approved Methods unless another method is approved in writing by the EPA.
Area for Improvement	The sampling procedure does not include any information of how a grab sample should be taken to ensure that it is representative of the condition being investigated. The licensee should request that the consultant updates its procedure to include information on how a representative grab sample is collected in the procedure.		


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
M4	Environmental Monitoring		
M4.1	Yes		
M4.2	Yes		
M4.3 – M4.4	Outside scope of audit	The groundwater monitoring network has been established outside the scope of the audit.	
M5	Recording of Pollution Complaints		
M5.1	Yes		
M5.2	Yes		
M5.3	Outside scope		
M5.4	Yes		
M7	Other monitoring and recording conditions (Scope Reporting period 2 March 2017 to 17 December 2018)		
M7.1	Out of scope as reporting period ends in March 2018.		
M7.2	This is a statement and no assessment of compliance is required.		
M7.2	Not determined	This information was not requested from the licensee.	
M7.3	Out of scope	The licensee commenced receiving waste long before the duration of the scope of the audit. It is noted that the licensee has implemented landfill gas monitoring program.	
M7.4	No Code Blue	Monitoring leachate levels The licensee monitors the and records the height of the leachate relative to the Australian height datum at EPA Points 26 and 27 (scope up to 21 August 2018). Monitoring information provided by the licensee indicate that they have not sampled the height at the required frequency. For example, leachate at point 27 was not sampled from 20/04/2018 to 14/05/2018. The licensee has indicated that this was due to new pipes being added and landfilling works in the area.	The licensee must ensure that the leachate levels are measured at points 26 and 27 as specified in the licence.
R2	Notification of environmental harm		

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
R2.1	No Monitoring leachate I Code Blue	<p>Notification of environmental harm</p> <p>The licensee did not notify the EPA of a fire that occurred on 25 May 2018, immediately after they became aware of the fire.</p> <p>A fire occurred at the tipping face within the landfill cell at the premises on Friday 25 May 2018 at around 8pm. The licensee indicated that they activated the PIRMP and notified the appropriate authority Rural Fire Services (RFS) and not any of the other four appropriate authorities as required by the PIRMP including the EPA. The RFS attended the fire and at on 26 May 2018 left the landfill at 1 am after the fire was extinguished.</p> <p>The licensee notified the EPA only on 28 May 2018, three days after the incident that was likely to cause or threaten material harm to the environment.</p> <p>The EPA issued a formal show cause notice to the licensee. In response the license indicated that they did not respond immediately, as they did not consider the fire to be an incident that is causing or likely to cause environmental harm.</p> <p>However, the licensee advised that they activated the Pollution Incident Response Management Plan and therefore considered the incident an incident that is causing or threatening to cause pollution. According to the requirements of the PIRMP, licensees are only required to notify the relevant authorities of a 'pollution incident', where pollution incident is defined as:</p> <p>"Pollution incident 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.</p> <p>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:</p>	The licensee must comply with the condition and ensure that future incidents that are causing or likely to cause environmental harm are reported to the EPA immediately.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		<p>(a) harm to the environment is material if:</p> <p>(i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or</p> <p>(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</p> <p>(b) loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.:</p> <p>According to a report obtained by the EPA from the Rural Fire Services (RFS), the fire initially engulfed an area of 15m x 25m and the area of waste combusted by the fire grew to 30m x 30m. To prevent the fire spreading to other areas of the landfill, the services of two heavy plant were required to separate areas of waste that were not yet engulfed in flames. The RFSs used 4 heavy fire tankers, 1 bulk water carrier and 1 RFS commander including 1 on site water cart to put out the fire. The volume of waste burnt was not estimated</p> <p>Based on the above facts, this was a fire that was causing and threatening to cause environmental harm, through the emission of smoke, particles and toxic gases resulting from the burning of waste materials, including plastics, foam and other non-putrescible waste that the licensee is allowed to dispose of at the landfill.</p>	
R2.2	Yes		
R2.3	Not Applicable	During the scope of the audit, there were no reported concentrations of ammonia that exceeded 1 mg/l from the sediment ponds.	
R2.4 – R2.5	Not Applicable	During the audit scope, there were no discharges of leachate from the premises.	
R2.6	Yes		
R2.7	Yes		
E4	Approved alternative daily cover specification – particulate waste materials		

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
E4.1 a. d. & e.	No Code Yellow	<p>Alternative cover specifications</p> <p>The licensee uses approved alternative daily cover material on site. The auditors observed alternative material that had previously been used to cover waste and an alternative cover stockpile during the audit inspection. The alternative cover material used to cover waste contained particles bigger than 50mm (see Photo 16 - 18). It was also observed in the stockpile that the alternative cover material also contained pieces of plastic, rubber and timber that must not be contained in the material. The auditors, having viewed the material in the stockpile, were of the opinion, that the alternative cover material also did not contain at least 25% soil or 50% particles less than 1mm.</p> <p>The licensee's representative measured some pieces of alternative cover and they were over 50mm. the licensee tried to explain this by indicating that elongated pieces that are over 50mm could easily pass through a screen that is 50mm in diameter. Although, there were elongated pieces that were above 50mm, there were also squarish pieces that were also more than 50mm in diameter.</p>	The licensee must ensure that alternative cover used at the premises complies with the specifications given in the licence.

Condition Number	Compliance / Risk assessment	Comment	Action required by nsee
		 <p data-bbox="620 1018 1666 1082">Photo 16 - 18: Alternative cover material showing paper, wood, plastics and material with sizes exceeding 50mm, and <50% material not less than 1mm.</p>	

Condition Number	Compliance / Risk assessment	Comment	Action required by see
		 <p data-bbox="618 963 725 995">Photo 17</p>	


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee
		 <p>Photo 18: Alternative cover material stockpile</p>	
E4.1 b.	Not applicable	On the day of the audit inspection the licensee did not use alternative cover material to cover the waste at the end of the day's operation.	
E4.1 c,	Not determined	The auditors did not sample and analyse the contaminant concentration in the cover material. It is noted that the licensee provided the EPA results of analysis that satisfied the requirements of this condition, during the process of obtaining approval.	
E4.1 f. & g.	Yes	From what was observed on the day of the audit inspection the alternative cover material appeared to have the ability to suppress odours and did not generate any odour. Alternative waste material coming into contact with alternative material was classified by the licensee as leachate and managed likewise.	

Table 4 Assessment of Compliance with the Protection of the Environment Operations Act 1997 – Chapter 5, Part 5.7A

Section	Compliance assessment	Comment	Action required by licensee
153A	Duty to prepare a pollution incident response management plans <i>The holder of an environment protection licence must prepare a pollution incident response management plan (PIRMP) that complies with this Part in relation to the activity to which the licensee relates.</i>		
	Yes	Preparation of a plan	
	Compliance with this part of the Act (Part 5.7A) Refer to the assessment of compliance outlined within this table.		
153C	Information to be included in plan <i>A PIRMP must be in the form required by the regulations and must include the following;</i>		
	a) <i>the procedures to be followed by the holder of the relevant Environment Protection Licence in notifying a pollution incident to;</i> i.) <i>the owners or occupiers of premises in the vicinity of the premises</i> ii.) <i>the local authority for the area in which the premises relates are located and any area affected or potentially affected</i> iii.) <i>any persons or authorities required to be notified by Part 5.7</i>		
	Yes		
	b) <i>a detailed description of the action to be taken immediately after a pollution incident</i>		
	Yes		
	c) <i>the procedures to be followed for coordinating any action taken in combating the pollution caused</i>		
	Yes		
	d) <i>any other matter required by the regulations</i> Refer to the assessment of compliance outlined within this table.		
153D	Keeping of Plan <i>The plan must be kept at the premises to which the relevant environment protection licence relates and made available in accordance with the regulations</i>		
	See assessments of Clause 98D of the Regulation.		
153E	Testing of plan <i>The plan must be tested in accordance with the regulations</i>		
	Refer to the assessment of compliance with POEO (General) Regulation 2009 – Clause 98E: Testing of plan.		

153F	Implementation of plan <i>The PIRMP must be implemented immediately if a pollution incident occurs</i>		
	<p>No</p> <p>Code Blue</p>	<p>The EPA is aware of a fire that occurred at the tipping face on 25 May 2018. The licensee did not activate the PIRMP <i>as required by the legislation</i>.</p> <p>The licensee advised that they activated the PIRMP and informed the Rural Fire Services immediately the fire occurred. However, they did not inform the other regulatory authorities (<i>EPA, Local council, Ministry of Health, Safe Work NSW</i>), that have to be informed of a pollution incident, when activating the PIRMP.</p>	<p>The licensee must ensure that the PIRMP is activated immediately a pollution incident occurs</p>

Table 5 Assessment of Compliance with the Protection of the Environment Operations (General) Regulation 2009- Chapter 7, Part 3A

Section	Compliance assessment	Comment	Action required by licensee
98B	Form of Plan		
	1) <i>Plan must be in written form</i>		
	Yes		
	2) <i>Plan may form part of another document so long as the information required is readily identifiable.</i>		
	This requirement is not applicable as the plan does not form part of another document.		
98 C (1)	ADDITIONAL MATTERS TO BE INCLUDED IN THE PLAN		
	a) <i>description of the hazards</i>		
	Yes		
	b) <i>likelihood of such hazards occurring</i>		
	<p>No</p> <p>Code Blue</p>	<p>Section 6 – Potential Hazards on page 10 contains a list of the hazards and each hazard has been given a likelihood e.g. Low and Possible. There is no explanation for how the likelihood was derived. Including a risk matrix in the PIRMP is one way of assessing the risk using consequence vs likelihood to interpret the risk level.</p> <p>Section 6 also does not include the conditions which could or would increase the likelihood of the risk. There are insufficient details of conditions which increase the likelihood of the hazard. For example, the risk of water pollution would be increased if hazardous chemicals were not banded appropriately or not watering the haul roads could increase dust emissions.</p>	<p>The licensee must include in the PIRMP:</p> <ul style="list-style-type: none"> - an assessment of the likelihood of any hazards occurring; and - further details of any conditions or events that could, or would, increase the likelihood of the hazard occurring

Section	Compliance assessment	Comment	Action required by licensee
	<i>c) details of pre-emptive actions to be taken to minimise or prevent any risk of harm</i>		
	Yes		
	<i>d) inventory of potential pollutants</i>		
	No Code Blue	<p>The licensee has listed the chemicals stored on the site. However it should be noted that the <i>Environmental guidelines: Preparation of pollution incident response management plans</i> (www.environment.nsw.gov.au/resources/legislation/201200227egpreppirmp.pdf) states that pollutants can include, but are not limited to, chemicals used in cleaning or production processes, fuels and lubricants used for equipment or machinery, gas cylinders, waste materials or wastewater, effluents and sediment-contaminated stormwater.</p> <p>All <i>potential</i> pollutants on site need to be included in the inventory in the PIRMP. Page 25, Appendix B of the PIRMP contains an inventory of potential pollutants on the premises. However, the licensee has not included all potential pollutants.</p> <p>Potential pollutants may also include the wastes under Condition L3.1 of the Environment Protection Licence that are permitted to be received at the premises including acid sulphate soils, asbestos waste and immobilised waste etc.</p> <p>The EPA notes that the inventory does include "leachate".</p>	The licensee must ensure that an inventory of all potential pollutants is included in the PIRMP.
	<i>e) maximum quantity of any pollutant likely to be stored</i>		
	Yes	However, see 98 C (1)	
	<i>f) a description of any safety equipment or other devices used to minimise the risks to human health or the environment and to contain or control a pollution incident</i>		
	Yes		
	<i>g) names, positions and 24-hour contact details of key personnel</i>		
	Yes		
	<i>h) contact details of relevant authorities (EPA, Local council, Ministry of Health, Safework NSW, Fire and Rescue NSW) under s.148 of the Act</i>		
	Yes		
	<i>i) mechanisms for providing early warnings to occupiers of nearby premises</i>		

Section	Compliance assessment	Comment	Action required by licensee
	Yes		
	<i>j) arrangements for minimising the risk of harm to persons on site</i>		
	Yes		
	<i>k) a detailed map (or set of maps) showing the location of the premises to which the licence relates, the surrounding area that is likely to be affected by a pollution incident, the location of potential pollutants on the premises and the location of any stormwater drains on the premises</i>		
	No Code Blue	<p>The map on page 23/24 does not show the location of the stormwater drains on the premises.</p> <p>The map Appendix A on page 23 shows the location of infrastructure on site including fuel depot, workshop, leachate tanks, leachate dam and stormwater dams. The in-pit-dam has also been incorrectly labelled as a leachate dam. The EPA recommends that this map is made into an A3 size, so the map can be easily read as it contains a lot of useful information. The street names should also be clearly labelled.</p> <p>The map on page 24 shows the site and a 500m radius from the site. This map of the surrounding area would be much more useful if it showed the location of the immediate neighbours and street names and was much larger.</p>	The licensee must ensure that the Plan includes a detailed map as required.
	<i>l) description of how any identified risk of harm to health will be reduced</i>		
	Yes		
	<i>m) nature and objectives of any staff training program</i>		
	Yes	.	
	<i>n) the dates the plan has been tested and name of person who carried out the test</i>		
	No Code Blue	There is no information in the PIRMP regarding the dates the plan has been tested and name of person who carried out the test.	The licensee must ensure that the PIRMP includes the dates the plan has been tested and name of person who carried out the test.
	<i>o) the dates on which the plan is updated</i>		

Section	Compliance assessment	Comment	Action required by licensee
	Yes		
	<i>p) the manner in which the plan is to be tested and maintained</i>		
	No Code Blue	Page 20 of the PIRMP relates to maintaining and testing the plan, however, it does not outline the way the plan is to be tested and maintained i.e.: desktop simulations or practical exercises and drills.	The licensee must ensure that the PIRMP contains details of the manner in which the plan is to be tested and maintained.
98 D	AVAILABILITY OF PLAN		
98D (1)	<i>A plan is to be made readily available</i>		
	<i>a) to an authorised officer on request</i>		
	Yes		
	<i>b) at the premises to any person who is responsible for implementing the plan</i>		
	Yes		
98 D (2) & (3)	<i>a) A plan is to be made publicly available within 14 days after it is prepared in a prominent position on a publicly accessible website of the person required to prepare the plan (only parts required by sections 153 C (a) of the Act and clause 98C (1) (h) and (i) of the Regulation).</i>		
	Yes		
98 E	TESTING OF PLAN		
98 E (1) & (2)	<i>(1) Testing of the plan is to be carried out so to ensure that the information included is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.</i>		
	<i>(2) Any such test is to be carried out;</i>		
	<i>a) routinely at least once every 12 months</i>		
	No Code Blue	The PIRMP has not been tested within the audit period (2 March 2017 to 2 March 2018)	The licensee must ensure that the testing of the PIRMP is carried out routinely at least once every 12 months so to ensure that the information included is accurate and up to date and the plan is capable of being

Section	Compliance assessment	Comment	Action required by licensee
			implemented in a workable and effective manner.
	a)	<i>within 1 month of any pollution incident</i>	
	This requirement did not apply at the time of the audit, as there had been no pollution incidents requiring implementation of the Plan within the scope of the audit.		

3 Further Observations

Where issues of environmental concern were observed, which did not strictly relate to the scope of the audit or assessment of compliance, they were recorded as a further observation. Further observations are indicators of potential non-compliance.

Visual inspection record sheet

As part of the audit, visual inspection records (daily, fortnightly, & monthly checks) were provided by the licensee. The form the license uses to record inspection observation does not have a column for recommended actions and the immediateness of the action required. This may hinder proper and effective action being taken in time.

The EPA is concerned that outcomes of inspections are not being adequately actioned in a timely manner, thereby, preventing potential environmental incidents from occurring.

Storage of Bulk Fuels

Diesel was being stored in a container with an expanding/contracting door which was locked, not far from the weighbridge. Fuelling hoses were seen to come through the container wall. The licensee indicated that the tank was a doubled shelled tank. The fuel hoses were observed to be strewn across the drive way and did not have any containment. Evidence of previous oil leaks/spills were prevalent in the concrete pad in the area the hoses were located.

The licensee should ensure that fuel hoses are kept within a bunded area having at least a capacity to hold 15 litres of liquid.



Photo 19: Fuel hoses being strewn across driveway. Decolourisation of concrete floor.

Maintenance of spill stations

The auditors inspected two spill kits near the diesel fuel storage shed and observed that one of the spill kits was not being maintained in a proper and efficient condition. The spill kit was half full and contained rubbish and used cans.



Photo 20: Spill station with and without cover being opened. Rubbish and used cans being stored in spill stations.

Publishing pollution monitoring data

The Protection of the Environment Operations Act 1997 (POEO Act) require holders of environment protection licences who undertake monitoring as a result of a licence condition to publish the data on the licensee's website.

The licensee has a web site and has published some monitoring data on their web site, however, not all of the monitoring required by the licence has been published. For example, the licensee is required to monitor leachate levels, but has not published any monitoring data for leachate levels.

Furthermore, the licensee has not published the data as required by the POEO requirements. For example, the POEO requirements specify that a link to the full licence on the EPA web site be provided. The pollution monitoring data published on the licensee's website does not have a link to the full licence on the EPA web.

The POEO requirements specify that a site map (where available) showing the location of sampling/monitoring points be published.

Condition P1 in the Environment Protection Licence specifies the location of monitoring/discharge points and refers to a plan. The pollution monitoring data published on the licensee's web site does not include a plan or map showing the location of sampling/monitoring points.

The licensee should refer to the EPA guideline on the Requirements for publishing pollution monitoring data at:

<https://www.epa.nsw.gov.au/~media/EPA/Corporate%20Site/resources/licensing/130742reqpubpmdata.ashx>

Annual return

The licensee is required by the licence to submit an annual return. The licensee has provided the EPA with an annual return for the period covered by the audit. It is noted that the annual return submitted to the EPA indicates that the licensee has published pollution monitoring data, which is not factually correct. Furthermore, the licensee has ticked all the boxes relating to the PIRMP requirements, which again can be seen from the assessment of EPL 13426 above that it is not factual, neither have all non-compliances been specified in the annual return.

The licensee should be aware that providing inaccurate information in the annual return is a breach of the POEO Act.

Air Quality Monitoring (Dust)

The licensee has air quality monitoring dust monitoring gauges, requirements imposed by the EPL issued to the processing plant. The licensee has previously used the results of monitoring, to repudiate complaints about dust emissions from the landfill they receive from the community.

During the audit inspection the EPA auditors visited three dust monitors and the Tapered Element Oscillating Microbalance (TEOM) PM10 sampler.

The dust gauges viewed (2 out of 3) were not complying with Australian/ New Zealand Standard 3580.1:2007: "Methods for sampling and analysis of ambient air- Part 1.1: Guide to siting air monitoring equipment. The funnel aperture plane of two of the gauges (photo 21 shows a funnel of one of the dust gauges) were not maintained in a horizontal position. The stand holding the dust gauge was not sufficiently rugged to prevent any noticeable sway, which also did not ensure that the funnel plane is maintained in a horizontal position. The cork holding the funnel of one of the gauges was damaged and as such could not hold the funnel in a horizontal position. Furthermore, it is general practice that the deposit gauges should be changed on the first day of each month or as near as possible.

The auditors were told that the gauge was changed on the day of the audit inspection 17 December 2018 (the consultant had changed the funnel, but not corrected the position of the funnel and gauge pole)

The Tapered Element Oscillating Microbalance (TEOM) was currently not located in the correct location. Due to the construction of many new residences between the current location and the landfill, this site is no longer representative of a neighbourhood site. The location also did not satisfy the requirements for siting as specified in the standard AS/NZS 3580.1.1:2007. The sampler did not have an unrestricted airflow around the sampling inlet due to a tree growing nearby (photo 22) and was within 50 metres of a road.



Photo 21: Dust gauge with funnel not horizontal and dust gauge not vertical.



Photo 22: TEOM with tree covering the unrestricted airflow of the sampler inlet

4 Action Program

The action program identified in Table 6 must be undertaken by the licensee.

In addition to this action program, for any '**not determined**' assessments identified through the audit (outlined in Tables 3-5), the licensee must ensure that they comply with the audit criteria.

Table 6 Action Program

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date
Environment Protection Licence No. 13426				
1.	L1.3	Maintenance of Appropriate Freeboard The licensee must ensure that the sediment ponds are maintained to retain an appropriate freeboard to minimise the potential for any turbid discharge. Maintenance of Depth Indicators The licensee must ensure that the depth indicators are maintained to accurately show the remaining freeboard.	Code Yellow	Completed 20/3/19. Licensee is developing ongoing maintenance program for desilting dams Ongoing monitoring and maintenance undertaken fortnightly.
2.	L2.1/L2.2	Concentration limits - EPA ID Point 5 & 6 - Water and/or Land Concentration Limits The licensee must not exceed the limits specified for the overflow points.	Code Yellow	Ongoing
3.	L3.1	Receival of waste not permitted by the licence The licensee must not cause, permit or allow any waste to be received at the premises, except as permitted by the licence.	Code Yellow	Licensee has put in place measures to ensure ongoing compliance.
4.	L3.4	Disposal of waste offsite The licensee must comply with the condition. The licensee must provide the EPA the following information: <ul style="list-style-type: none"> The final destination of the waste with records of acceptance from the destination The total amount of waste that has been transported for the period 2 March 2017 to 1 March 2018. Evidence that the waste transported is being landfilled. 	Code Blue	Licensee must comply with this condition or seek EPA approval for off-site disposal of waste from the processing plant. By 1 May 2019

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date
5.	L3.5	Disposal of waste not permitted by the licence The licensee must not dispose of any waste at the landfill that is not permitted by the licence.	Code Yellow	Licensee has put in place measures to ensure ongoing compliance.
	L5.1	Hours of operation - Landfill The licensee must operate the landfill only during hours prescribed in the licence.	Code Blue	Licensee must comply with this condition or seek EPA approval for change to operating hours.
6.	M2.1	Hours of operation – Conveyor and chute system The licensee must ensure that the conveyor and chute system is only operated during permitted hours.	Code Blue	Licensee must comply with this condition or seek EPA approval for change to operating hours.
7.	M3.1	Maintenance of in-pit-dam The licensee must ensure that all plant and equipment installed at the premises is maintained in a proper and efficient condition.	Code Yellow	Licensee is investigating alternative methods of cleaning dam surface. The licensee has replaced the sunken boat.
8.	O4.3b)	Effectiveness of pests and noxious weed management The licensee must comply with the condition and ensure that noxious pests and weeds are controlled in an effective manner	Code Orange	Licensee must ensure the effectiveness of pests and noxious weed management on an ongoing basis.
9.	O5.4 a) i	Covering Waste The licensee must ensure that all exposed waste is covered daily. The licensee must also ensure that asbestos waste is covered as required by the POEO Regulation.	Code Yellow	Licensee must ensure that all exposed waste is covered daily.

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date
10.	O5.4 a) ii	Alternative Cover The licensee must ensure that only EPA approved alternative material is used on the site.	Code Yellow	The licensee must ensure alternative material used on site complies with the licence requirements relating to their specifications.
11.	O5.9	Disposal of waste in landfill void The licensee must dispose of waste only in the landfill void unless otherwise specified in the licence.	Code Blue	The licensee must comply with this condition or seek EPA approval for off-site disposal of waste from the processing plant. By 1 May 2019
12.	O5.10	Filling plan The licensee must submit and maintain a filling plan the is updated at least at intervals of no greater than 12 months.	Code Blue	The licensee has submitted revised filling plans for the landfill.
13.	O6.6	Storage of chemicals The licensee was not storing chemicals on site in appropriately designed impervious bunded area.	Code Yellow	Completed
14.	M2.1 – M2.2 (scope 2 March 2017 to 21 August 2018)	Monitor at each monitoring/discharge point The licensee must ensure that all samples are collected at prescribed locations or renegotiate the monitoring points with the EPA.	Code Blue	The licensee is seeking approval from the EPA.
a	M2.1 – M2.2 (scope 22 August 2018 to 17 December 2018)	Frequency The licensee must ensure that samples are collected as required by the licence	Code Blue	Next sampling event and ongoing

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date
15.	M3.1 (Scope 22 August 2018 to 17 December 2018)	Methods of analysis Monitoring must be carried out in accordance with the Approved Methods unless another method is approved in writing by the EPA.	Code Blue	1 May 2019
16.	M7.4	Monitoring leachate levels The licensee must ensure that the leachate levels are measured at points 26 and 27 as specified in the licence.	Code Blue	Complete. The Licensee has now installed a transducer (logger) which monitors and records leachate levels.
17.	R2.1	Notification of environmental harm The licensee must comply with the condition and ensure that future incidents that are causing or likely to cause environmental harm are reported to the EPA immediately.	Code Blue	The Licensee has updated their procedures to inform relevant regulatory authorities in a timely manner
18.	E4.1 a. d. & e.	Alternative cover specifications The licensee must ensure that alternative cover used at the premises complies with the specifications given in the licence.	Code Yellow	Immediately/on going
Protection of the Environment Operations (General) Regulation 2009- Chapter 7, Part 3A				
19.	153F	Implementation of plan The licensee must ensure that the PIRMP is activated immediately a pollution incident occurs	Code Blue	Ongoing
Protection of the Environment Operations (General) Regulation 2009- Chapter 7, Part 3A				
20.	98 C (1) b)	Likelihood of such hazards occurring The licensee must include in the PIRMP: <ul style="list-style-type: none"> an assessment of the likelihood of any hazards occurring; and further details of any conditions or events that could, or would, increase the likelihood of the hazard occurring. 	Code Blue	The licensee has hired a consultant to update PIRMP By 1 May 2019

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date
21.	98 C (1) d)	<i>Inventory of potential pollutants</i> The licensee must ensure that an inventory of all potential pollutants are included in the PIRMP.	Code Blue	The licensee has hired a consultant to update PIRMP By1 May 2019
22.	98 C (1) k)	<i>Detailed map</i> The licensee must ensure that the Plan includes a detailed map as required.	Code Blue	The licensee has hired a consultant to update PIRMP By1 May 2019
23.	98 C (1) m)	<i>Staff training program</i> The licensee must ensure that the Plan includes the nature and objectives of any staff training programs.	Code Blue	The licensee has hired a consultant to update PIRMP By1 May 2019
24.	98 C (1) o)	<i>Dates the plan was updated</i> The licensee must ensure the Plan includes the dates on which the Plan was updated.	Code Blue	The licensee has hired a consultant to update PIRMP By1 May 2019
25.	98 C (1) p)	<i>Testing and maintaining the Plan</i> The licensee must ensure the Plan includes the dates on which the Plan was updated.	Code Blue	The licensee has hired a consultant to update PIRMP By1 May 2019
26.	98 E (1) & (2) a)	<i>Testing of plan</i> The licensee must ensure that the testing of the PIRMP is carried out routinely at least once every 12 months so to ensure that the information included is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.	Code Blue	The licensee has hired a consultant to update PIRMP Ongoing

5 Areas for improvement

The licensee is encouraged to address the following 'Area for improvement' as noted in Table 3. These are areas where environmental performance could be improved.

1	<p>Sign Posting Monitoring Points</p> <p>On the day of the audit inspection the auditors viewed a number of sampling locations, including the sediment pond (EPA ID Points 2 & 3 the discharge locations (EPA ID Points 5 & 6) and the ground water monitoring point near the leachate ponds. None of the visited points had any markings indicating the EPA ID number.</p> <p>Monitoring results provided by the licensee indicate incorrect identification of monitoring points. The discharge points EPA ID Points 5 and 6 have been incorrectly identified as EPA ID Points 4 & 5.</p> <p>The EPA is concerned that not sign posting monitoring points can lead to confusion and the incorrect labelling of samples. The licensee should consider sign posting all sampling points with the correct EPA ID Point numbers.</p>
2	<p>Site Induction</p> <p>The licensee should consider, including in the induction information about the licensee's environmental responsibilities, requirements of licence conditions and information about the PIRMP.</p>
3	<p>Sampling procedure</p> <p>The sampling procedure does not include any information of how a grab sample should be taken to ensure that it is representative of the condition being investigated. The licensee should request that the consultant updates its procedure to include information on how a representative grab sample is collected in the procedure.</p>

6 Appendices


APPENDIX A
ENVIRONMENT PROTECTION LICENCE 13426
(Refer to <http://www.epa.nsw.gov.au/prpoeoapp/>)

APPENDIX B
LICENSEES RESPONSE TO DRAFT REPORT

Table 3 Assessment of Compliance with Environment Protection Licence 13426

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
L1.3 (Scope: Duration of audit scope)	No Code Yellow	<p>Maintenance of Appropriate Freeboard</p> <p>The licensee was not maintaining the sediment ponds in a manner that ensures that these sediment ponds retain an appropriate freeboard to minimise the potential for any turbid discharge during the reporting period.</p> <p>Monitoring results provided by the licensee indicate that on 29 November 2018 the south west surface water detention basin (EPA ID No 3) overflowed from the weir (EPA ID No. 6) with a turbid discharge with levels of total suspended solids measured to be 220 mg/l.</p> <p>It is noted that the daily site visual inspection report provided for 28 November 2018, indicated that this sediment dam was full and contained relatively turbid water (NTU reported - 100) and that the detention basin had sediment build up. The report also indicates that there was over 40 mm of rain received in three consecutive days, but no overflow was reported. However, this information does not match up with the rainfall data from the Bureau of Meteorology Erskine Park Reservoir Station weather station data, which indicates that in three consecutive days there was only 14mm and not 40mm of rainfall as suggested in the visual inspection report.</p> <p>The licensee's representative indicated that they pump the water from the sediment detention basin 2 (EPA ID Point 2) daily for use in the water cart for dust suppression. However, because there were large quantities of suspended sediment washed into the sediment detention basin 3 (EPA ID Point 3), they have not been able to pump out the water from the pond for some time, as the pump was getting clogged with sediment. This was conformed on the day of the audit inspection, as the sediment dam contained turbid water.</p>	The licensee must ensure that the sediment ponds are maintained to retain an appropriate freeboard to minimise the potential for any turbid discharge.	<p>The Licensee draws the EPA's attention to the following with respect to the suggestions of non-compliance in relation to the sediment ponds; the visual inspection has a time stamp which indicates the inspection was conducted on the 28/11/2018 at 10:20 am.</p> <p>It is also important to note that the visual inspection does not record rainfall. The rainfall recorded at the BETA weather station in Erskine Park records the rainfall daily at 9:00 am, at the time of the visual inspection the site had already received a significant amount of water. Furthermore, the testing of the discharged water took place on the 29/11/2018, on this date 57mm of rain was recorded.</p> <p>It is also important to note that the licensee performs</p>


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		<p>Although, on 29 November 2018, there was 57mm of rainfall, had the licensee maintained the dam and allowed for enough freeboard to be maintained, an overflow from the southwest dam would not have occurred <i>immediately</i>, for the reasons given above.</p> <p>The licensee was asked to provide the EPA with information about the desilting of the ponds. However, in their response the licensee informed that they have not desilted the sediment dams since they were built. The licensee believed there was no need for the sediment basins to be desilted. They referred to results of water quality monitoring for recent years showing low levels of sediments and effective sediment control devices to prevent sediment from reaching the dams.</p> <p>It is noted that the licensee only undertakes water quality monitoring each quarter, therefore it is not a good indicator of sediment build-up. The daily site visual inspection report (28 November 2018) indicates that both the sediment traps and the detention basins having build-up of sediments. Unless action is taken immediately to remove sediments trapped in the control devices, sediment is invariably washed into the sediment dams.</p> <p>This is also contrary to licensee own procedures detailed in the Environmental Management Strategy (EMS) Soil, Water and Leachate Management Plan dated March 2017 which specifies: "Remove silt build-up regularly..." and "Keep sedimentation basins in a drawn-down state by preferential use of the water carts by tankers for dust suppression",</p> <p>Maintenance of Depth Indicators</p> <p>The licensee was also not maintaining the freeboard depth indicators installed in the sediment detention basins.</p> <p>On the day of the audit inspection it was observed that the depth indicators in the north western and south western detention basins were not being</p>	<p>The licensee must ensure that the depth indicators are maintained to accurately show the remaining freeboard.</p>	<p>water quality monitoring each quarter as specified in the license conditions.</p> <p>We are currently working on a program maintenance schedule for the desilting.</p> <p>Since the audit, dams and swales have been desilted. Please see attached photographic evidence labelled L1.3.</p>

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		<p>maintained. The depth indicators in both ponds were leaning sideways and were not indicating the correct freeboard (Photo 2).</p>  <p>Photo 1: Slouching depth indicator poles in north west and south west detention basins respectively showing inclination</p>		
L2.1/L2.2	No Code Yellow	<p>Concentration limits - EPA ID Point 5 & 6 - Water and/or Land Concentration Limits</p> <p>Based on the licensee's published monitoring results, the licensee exceeded the limit for any pollutant in the table in accordance with the requirements of the licence as follows:</p> <ul style="list-style-type: none"> EPA ID Point 6: TSS and pH were respectively 220 mg/l and 8.59 on 29/11/18 from the south west detention dam. <p>However, condition L2.4 permits limits to be exceeded, if the overflow event occurred solely because of a rainfall event at the premises exceeding 45 millimetres over any consecutive five-day period and the licensee has taken all practical measures to avoid or minimise water pollution, the licensee is not deemed to have exceeded the limit.</p> <p>The discharge event from EPA ID Point 6 for 29/11/18, which recorded levels of TSS of 220 mg/l and pH of 8,59 was deemed to have satisfied one of the exception rules in condition L2.4 as the rainfall within the previous</p>	The licensee must not exceed the limits specified for the overflow points.	<p>The licensee carries out procedural inspections of all pits and drains on site (Fortnightly photographic OSD Pit Inspections). Pits and Dams are checked fortnightly and desilted as required.</p> <p>It is the licensee's opinion that dealing with silt at point of generation is more effective than at the end of the process i.e. Dams.</p>

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		<p>five-days (including 29/11/18) exceeded 45 millimetres and totalled 71 millimetres and does not place the licensee in non-compliance.</p> <p>However, the licensee was not in compliance with the second part of the rule as prescribed in condition L2.4. On the day before the overflow event, the licensees own visual inspection report indicated that the dams were full and there was a build-up of sediment in the dams on the 28/11/18, the licensee is deemed to have not taken all practical measures to avoid or minimise water pollution. It is also noted that the rainfall for the <i>previous</i> five consecutive days was 14 millimetres (four days without rain and one day with 14mm of rain).</p> <p>The licensee is not implementing its own procedures detailed in the Environmental Management Strategy (EMS) Soil, Water and Leachate Management Plan dated March 2017 which specifies as part of Management and Mitigation Measure including : “ Remove silt build-up regularly...” and “Keep sedimentation basins in a drawn-down state by preferential use of the water carts by tankers for dust suppression”, especially noting that the preceding days did not register any major rainfall event.. Therefore, the licensee has not taken all practical measures to avoid or minimise water pollution and as such the licensee is deemed to have exceeded the limit for both TSS and pH on 29/11/18 at EPA ID Point 6.</p> <ul style="list-style-type: none"> EPA ID Point 5: pH was measured as 8.62 on 22/3/2017 only for the discharge event on 22/3/17 from the north west detention dam <p>The discharge event from EPA ID Point 5 for 2/23/17, which recorded a pH level of 8,562 was deemed to have satisfied one of the exception rules in condition L2.4 as the rainfall within the previous five-days exceeded 45 millimetres and totalled 47 millimetres and does not place the licensee in non-compliance.</p>		<p>As stated, we exceeded 45 millimetres of rain in the 5 days prior to the discharging event, therefore the licensee is compliant with license condition L2.4.</p> <p>The licensee considers having undertaken all practical measures to avoid or minimise water pollution via our fortnightly OSD pit inspections and subsequent desilting as required.</p>

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		The licensee was requested to provide visual inspection reports for the day prior to the discharge on 22/3/17, however, only provided visual inspection reports of other areas inspected excluding the sediment detention dams. The licensee has indicated that they only visually inspect the dams once a week, although in the Plan mentioned above, it is stated that the "SPM shall monitor the site daily".		
L3.1	No Code yellow	<p>Receival of waste not permitted by the licence</p> <p>The licensee was not complying with the condition requiring the licensee not to accept waste that is not permitted by the licence</p> <p>During the audit scope, EPA records indicate that the licensee had received waste that was not permitted by the licence on 23 August 2018. The licensee failed to identify several loads of clinical waste that had been transported to the site as general solid waste, which was disposed at the site.</p> <p>The licensee was issued with a formal warning on 3 December 2018.</p> <p>It is noted that the licensee has systems in place to ensure that no waste that is not permitted is accepted at the premises and include:</p> <ul style="list-style-type: none"> • The licensee receives waste classification records and information about the proposed waste to be delivered for disposal, prior to receiving waste at the facility. • Weigh bridge personnel asks truck drivers for identification code and origin of waste load, and matches information with information in system • Vehicles are rejected based on incorrect details supplied at window • Reject loads are recorded in the rejected Loads Register • Video camera installed for better control of incoming loads. Weighbridge operators can view loads coming in 	The licensee must not cause, permit or allow any waste to be received at the premises, except as permitted by the licence.	<p>Noted.</p> <p>The EPA has fully investigated this matter, SafeWork has reviewed the Licensee's procedures and did not make any further recommendations or changes.</p> <p>The Licensee also notes that the waste referred to was contained in a compactus vehicle. A compactus vehicle does not allow us to identify the loads until they have been emptied, once emptied the compactus vehicles are unable to be reloaded.</p> <p>Both the transporter and generator of the waste failed to provide the Licensee with product that</p>

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		<ul style="list-style-type: none"> One of the four weighbridges has a viewing platform/ladder for a spotter, but loads of 'taller' trucks cannot be inspected from that position (too low) Trucks are advised to automatically open tarps before approaching the weigh bridge; 2 Spotters at tipping face A Spotters manual enables spotter to familiarise themselves with type of incoming waste Post incident with clinical waste receipt, the licensee held tool box talks with relevant personnel <p>On the day of the audit the auditors observed the licensee receive waste at the facility including asbestos contaminated waste. The auditors did not observe the license receiving any waste that is not permitted by the licence.</p> <p>The EPA is concerned that the licensee, although, having procedures in place, is not ensuring the consistent application of these procedures to ensure that waste not permitted to be received is accepted for disposal at the site.</p>		<p>complied with the treatment approval of autoclaving and shredding. Whilst the waste was rendered free of any biological hazards the transporter and generators failure to properly or correctly identify the waste caused the Licensee to accept a waste that would have ordinarily been reloaded and sent offsite.</p> <p>We have voluntarily put new processes in place that will require a report and prior approval stating waste has met the reclassification requirements.</p> <p>The licensee has also updated the spotters training manual and conducted tool box talks.</p>
L3.4	No Code Yellow	<p>Disposal of waste offsite</p> <p>The licensee was not disposing of all outputs produced from the waste processing and /or resource recovery facility at the landfill.</p> <p>On the day of the audit inspection the auditors observed crushed/screened waste material from the waste processing and recovery facility being</p>	The licensee must comply with the condition. The licensee must provide the EPA the following information:	<p>Point 1 – Correct. Majority of outputs are disposed of at Genesis landfill EPL13426. The balance being disposed of at Greenspot landfill QLD</p>


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		<p>deposited into the landfill via the chute. Waste material from the recycling facility is weighed continuously with weigh belt conveyors (contains two separate weigh belts) before it is transported to the bottom of the tip via the chute. During the time the auditors were on site, significant amount of waste had accumulated at the bottom of the chute (Photo 3). The licensee representative indicated that a substantial amount is transported by rail for disposal at a Queensland landfill – Greenspot.</p> <p>He also indicated that some waste was buried on site depending upon current economics. He further explained that only 'one week's supply' of waste material is stockpiled at the site near chute. This could not be verified, as it is not clear how much waste is dumped on site, and how much is transported off site. During the inspection only, small quantities (3 – 4 loads) approximately around 50 cubic meters were transported to the tip for disposal. There were 13 shipping containers stored on site and loaded during the day. No shipping containers were observed leaving the site.</p> 	<ul style="list-style-type: none"> The final destination of the waste with records of acceptance from the destination The total amount of waste that has been transported for the period 2 March 2017 to 1 March 2018. Evidence that the waste transported is being landfilled. 	<p>(EPA Permit EPPR00706313).</p> <p>Point 2 – Correct, however the volume of waste captured in photo 3 is indicative of landfill floor build up in preparation for the removal of one section of the chute tube.</p> <p>Point 3 – As per previous point; due to floor build up requirements, only small amounts per hour were required to move from chute base to tip base.</p> <p>Point 4 – Licensee was under the opinion that approve alternate cover (con cover) was still permitted for use. Stockpile was covered with con cover.</p> <p>Point 5 – The licensee believes we are compliant with this condition. We are disposing all the outputs from license 20121 at the landfill i.e. EPL13426 and Greenspot permit EPPR00706313.</p>

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		<p>Photo 2: Large mountain of crushed waste at bottom of chute.</p> <p>The deposited material contained large quantities of, plastics, shredded paper, pieces of wood and is considered a fire hazard.</p> <p>An analysis of weighbridge dockets provided to the EPA, indicate that waste is transported from the landfill to Queensland (see assessment of condition L5.1).</p> <p>Based on the advice provided to the auditors by the licensee's representative, the waste material that is transported is landfilled. This condition does not allow the licensee to dispose of any waste produced from the output of the waste processing facility, other than for purposes prescribed in the condition.</p> <p>The EPA is concerned that the licensee is not complying with the condition as no waste is permitted to be disposed offsite, other than for purposes specified in the licence. The EPA is also concerned that the licensee is storing large quantities of waste increasing the likelihood of fire.</p>		
L3.5	No Code yellow	<p>Disposal of waste not permitted by the licence</p> <p>The licensee was not implementing procedures to prevent the disposal of any waste that is not permitted by condition L3.1 to be disposed of at the premises.</p> <p>During the audit scope, the licensee failed to identify several loads of clinical waste that had been transported to the site as general solid waste, which was disposed at the site on 23 August 2018</p> <p>On the day of the audit inspection the licensee demonstrated that, they have in place adequate procedures to identify and prevent the disposal of any waste not permitted by condition L3.1 to be disposed of at the premises. The auditors observed waste being received at the premises and</p>	The licensee must not dispose of any waste at the landfill that is not permitted by the licence.	Noted. Please refer to L3.1. Please also refer to previous responses and submissions to the EPA during their investigation.

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		<p>being disposed of at the active tip face. Only waste permitted by condition L3.1 was being accepted and disposed of at the premises.</p> <p>It is noted that post incident, the licensee has held tool box talks and is taking measures to ensure that all relevant staff at the land fill strictly adhere to the procedures for inspecting loads both at the weighbridge and the tipping face.</p> <p>It is however also noted that, due to frequent turnover of staff, especially spotters and landfill supervisors, this may be a difficult task, unless the licensee develops alternative procedure to ensure constant oversight of operators.</p>		
L5.1	No Code Blue	<p>Landfill hours of operation The license was not complying with the condition.</p> <p>During the audit scope, a review of weigh bridge records supplied to the EPA for the period covering the audit scope indicates that the licensee was not complying with this condition. A random examination of weighbridge records provided to the EPA for the period 01/01/2018 to 30/06/2018 indicates that the licensee was operating the landfill prior to 7:00am:</p> <p>For example, the following waste was received at the landfill on:</p> <ul style="list-style-type: none"> • 2/01/2018 a load of general rubbish with a nett weight of 14.5 tonnes at 5:45am (Docket No. GE49441) • 2/01/2018 a load of general rubbish with a nett weight of 18.92 tonnes at 6:12am (Docket No. GEN9442) • 3/01/2018 a load of Asbestos Waste was received with a nett weight of 1.6 tonnes at 6:04am (Docket No. GEN49464) • 31/01/2018 a load of commercial waste was received with a nett weight of 3.1 tonnes at 6:00am (Docket No. GEN50434) • 31/01/2018 two loads of Waste Ex Qld were transported out from the landfill with a nett weight of 23.32 and 22.04 tonnes respectively at 6:02am and 6:03am (Docket Nos: 50434 and 50434) 	The licensee must operate the landfill only during hours prescribed in the licence.	<p>The Licensee has noted there is a need to increase the hours of operation to meet the demand for access to the Landfill, this amendment to operating hours is being formally approached through Mod application # MP06_0139MOD6.</p> <p>The Licensee operates an approved shared weighbridge, on occasion the Licensee is required to move vehicles destined for the landfill through the weighbridge where they then queue up waiting for the gates of the landfill to open before travelling into</p>


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		<p>It is noted that, for the 1st quarter of 2018 the licensee was operating the landfill prior to 7:00am the permitted time, on over 150 occasions.</p> <p>On the day of the audit inspection, which was a Monday 17 December 2018, the premises were operating at 7:30am and the landfill finished operations before 5.45pm.</p>		the landfill to dispose of their waste, which is reflective of the examples provided.
L5.2	No Code Blue	<p>Conveyor and chute system hours of operation The licensee was not complying with this condition.</p> <p>During the audit scope, a review of weigh bridge records supplied to the EPA for the period covering the audit scope indicates that the licensee was not complying with this condition. A random examination of weighbridge records provided to the EPA for the period 01/01/2018 to 30/06/2018 indicates that the chute was operational prior to 7.00am:</p> <p>On 4/01/2018 a load of general rubbish was transported from the Chute to the landfill with a nett weight of 51.1 tonnes at 5.57am (Docket No. QGE00759).</p> <p>On 2/07/2018 a load of general rubbish was transported through the Chute to the landfill with a nett weight of 67 tonnes at 5:21am (Docket No. QGE00777).</p> <p>The chute system was operating when the auditors arrived around 7:30am and was operating until they left at 5:45pm.</p>	The licensee must ensure that the conveyor and chute system is only operated during permitted hours.	The chute weighbridges do not generate 'Weighbridge tickets'. This information is manually entered so the times on the tickets are not reflective of the operational hours. The chute is permitted to be operational until 6pm Monday-Friday.
	No Code Yellow	<p>The licensee is not maintaining all plant and equipment in a proper and efficient condition.</p> <p>In Pit dam On the day of the audit inspection the in-pit dam contained litter and rubbish that had been washed in or blown into the dam (Photo 3). The licensee</p>	The licensee must ensure that all plant and equipment installed at the premises is maintained in a proper and efficient condition.	Please refer to attached action plan.



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		<p>indicated that they use a boat to clean the rubbish in the dam on a daily basis. However, on the day of the audit inspection, the auditors observed that the boat used to remove rubbish had sunk. The licensee indicated that the boat probably sank during the recent heavy rainfall.</p> <p>The EPA is concerned that the licensee in not maintaining the in-pit dam in a proper and efficient condition.</p>		


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
				

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		Photo 3: In-pit-dam with rubbish, litter and sunken dinghy.		
O4.2 (b)	No Code Orange	<p>Effectiveness of pests and noxious weed management</p> <p>The licensee was not ensuring that the measures taken to eradicate noxious weeds on site are working effectively to prevent the presence of declared noxious weeds in sufficient numbers to pose an environmental hazard.</p> <p>The licensee inspects the site on a regular basis, however, on the day of the audit inspection the auditors observed substantial growth of noxious weeds including declared noxious weeds such as <i>Pampas grass</i> and <i>Spear and Star thistle weed</i> near the chute system within the landfill (See Photo 3 & 4) and other areas such as near sediment detention basins (Photos 5 & 6)) and overlooking the in-pit-sediment dam. It is noted that the licensee's representative noted this for discussion with personnel responsible for keeping weeds under control. It is also noted that at one point, after viewing substantive growth of weeds, the licensee's representative telephoned a person responsible for organising weed control and asked him why the weed control had not been undertaken.</p> <p>Although, the license has in place regular monitoring of pests, vermin and weeds, it appears that the monitoring process is not effective in ensuring that noxious weeds are not present in sufficient numbers to pose an environmental hazard.</p> <p>During the audit inspection the auditors also observed two wild goats and a kangaroo in an area above the sedimentation dams.</p> <p>The EPA is concerned that not effectively monitoring the growth of weed could cause:</p> <ul style="list-style-type: none"> The substantive growth of weed, as reported above, requiring the use of larger quantities of weed eradicating spray, increasing the 	The licensee must comply with the condition and ensure that noxious pests and weeds are controlled in an effective manner.	The vegetation management plan was submitted and accepted by the Department of Planning as required. The Licensee has been compliant to the standards within the management plan. See attachment O4.2b.

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		<p>likelihood of pollution of waters, especially in areas near sediment detention basins which have the potential to overflow.</p> <ul style="list-style-type: none"> Increased infestation of noxious weeds to other areas of the site through wind-blown transport of noxious weed germinating seed (the auditors observed noxious weed in many areas of the landfill) including the transport of seed through the use of the in-pit-dam water for dust suppression. Increased likelihood of contamination of waste material at the bottom of the chute system from wind-blown noxious weed germinating seed, some of which is being transported by the licensee inter-state for landfilling. It is noted that seed from noxious weeds can remain viable (alive) for at least two years, and for some species for much longer. It is also noted that the transport of material from NSW to another State that is potentially contaminated with noxious weed seedlings is prohibited. Overflow of detention basins with weed germinating/seed being transported offsite and contaminating surrounding areas. 		

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		 <p data-bbox="678 884 1111 911">Photo 4: Weeds growing hear Chute.</p> <p data-bbox="678 954 1491 1045">The EPA is also concerned that the licensee is not monitoring the effectiveness of the pest management program, which has also been reported in several Independent audit reports previously.</p>		

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		 <p>Photo 4a: Noxious <i>pampas</i> grass overlooking in-pit-sediment dam</p>  <p>Photo 5: Weeds including noxious <i>star thistle</i> growing near north-west sediment dam</p>		


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		 <p>Photo 6: Weeds including noxious <i>spear thistle</i> growing near south-west sediment dam</p>		
O5.4 (a) i)	No Code Yellow	<p>The licensee had not applied daily cover to a minimum of 15 centimetres over all exposed landfill waste prior to ceasing operations at the end of each day.</p> <p>On the day of the audit inspection the auditors observed exposed waste that had not been covered with the daily cover material, in a previously filled area adjacent to the in-pit dam (photos 7 & 8). It is noted that, after being told and shown, where waste has not been covered, the licensee ensured that the waste was covered prior to the auditors leaving the site.</p>	The licensee must ensure that all exposed waste is covered daily. The licensee must also ensure that asbestos waste is covered as required by the POEO Regulation.	The area was inspected after landfill operations had started during the day. There is no evidence to suggest that the material was tipped there on previous days, the licensee is of the opinion that the material was being used to rise the landfill floor to create the

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		<p>It is noted that on the day of the audit inspection the licensee did not use virgin extracted material as daily cover prior to ceasing operations at the end of the audit inspection.</p> <p>On the day of the audit inspection, in an area adjacent to the designated area that was being used to dispose of asbestos waste, two small fragments (Photo 9 & 10) of suspected asbestos sheeting were identified on the surface of the cover material placed over a previously landfilled area. The two fragments were tested by the licensee using a portable asbestos analyser gun, which returned a positive result. Subsequent analysis of the two fragments at a NATA accredited lab, confirmed that they were asbestos. One of the fragments contained the minerals Chrysotile and Amosite, while the other fragment contained the minerals Chrysotile, Amosite and Crocidolite, all of which are known asbestos forming minerals. At the time of the audit the licensee could not explain the presence of the two pieces. It is noted that no other pieces of asbestos were discovered during the audit.</p> <p>The EPA is concerned that the licensee is not covering waste adequately, including asbestos waste as required by the licence and the POEO Regulation.</p>		<p>required fall for the construction of the mid floor drainage system.</p> <p>There is no condition within our licence to apply immediate cover to our general solid waste.</p> <p>With respect to the asbestos; the licensee has responded to a show cause notice issued by EPA to the licensee on 21 February 2019.</p>

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		 <p data-bbox="676 837 1151 869">Photo 7: Exposed waste near in-pit dam</p>		


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		 <p data-bbox="678 863 1178 895">Photo 8: Close-up of the uncovered waste.</p>		

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		 <p data-bbox="676 831 1256 863">Photo 9: One of the asbestos sheeting fragments</p>		

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		 <p>Photo 10: Second fragment of asbestos sheeting</p>		
O5.4 (a) ii)	No Code Blue	<p>Using unapproved alternative cover (scope on the day of the audit inspection) The licensee was using an alternative cover material that was not approved by the EPA.</p> <p>It is noted that the licensee was permitted to undertake a 12-month trial of the alternative material 'Concover' in December 2012 and was required to provide a report to the EPA, one month after the end of the trial in December 2013.</p> <p>The licensee indicated that due to management changes the licensee forgot to send the report to the EPA. However, in 2014, an independent audit report undertaken as part of the planning development consent, identified this non-compliance. The licensee contracted a consultant to undertake a review of the trial and prepare a report as required by the EPA. However, the report was only sent to the Department of Planning and not to the EPA</p>	The Licensee must ensure that only EPA approved alternative material is used on the site.	<p>Noted. The Licensee has submitted an application for a variation to licence condition O5.4 to reinstate the use of Concover.</p> <p>We have responded to all requests of the EPA in support of this licence variation.</p>

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		<p>in March 2016. In July 2016, the licensee provided a copy of the report to the EPA and requested approval for the use of 'Concover'.</p> <p>EPA records do not indicate that the EPA had formally granted approval for Concover. It is noted that in the licence variation issued on 22 August 2018, the conditions relating to the trial of the alternative cover was removed.</p> <p>The license has continuously used the alternative cover material since the trial ending in December 2013 without obtaining formal approval from the EPA. Further, even after being informed that the licensee was contravening licence requirements by using an unapproved alternative cover material, the auditors observed, Concover being sprayed onto the waste at the end of the day's operation on the day of the audit inspection.</p> <p>It is noted that, on 21 December 2018, four days after the audit inspection the licensee has requested EPA approval for the use of the alternative material, by way of a licence variation.</p>		
O5.9	No Code Blue	<p>Disposal of waste in landfill void</p> <p>The licensee was not disposing of all waste within the landfill void.</p> <p>The licensee transports waste dumped into the landfill through the chute system to Queensland for landfilling.</p> <p>See also condition L2.4</p>	The Licensee must dispose of waste only in the landfill void unless otherwise specified in the licence.	There is no condition in the license 13426 that requires the waste from the recycling facility to be disposed of at the landfill.
O5.10	No Code Blue	<p>Filling Plan</p> <p>The licensee has not submitted and maintained a filling plan for the disposal of waste sequentially in each landfill cell, that is updated at intervals no greater than 12 months.</p> <p>The licensee provided the auditors with a landfill filling plan. The filling plan has the following sequence covering the scope of the audit:</p>	The Licensee must submit and maintain a filling plan the is updated at least at intervals of no greater than 12 months.	Please find copies of revisions attached.

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		<p>24th February 2016; 22 June 2018 and again 22nd June 2018</p> <p>The licensee has not updated the filling plan for 26 months.</p> <p>The licensee has not submitted a filling plan that has been updated at intervals no greater than 12 months.</p>		
O5.13 (a) Scope: 2 March 2017 to 21 August 2018)	No Code Yellow	<p>Maintaining leachate levels</p> <p>The licensee was not maintaining the leachate levels at leachate monitoring point 26 at no more than -45m AHD below RL 25m AHD.</p> <p>Annual return data for this period indicate that the standing water levels taken at leachate monitoring point 26 had a highest value of -36.861m AHD and mean value of -40.458m AHD, which is more than the specified -45m AHD.</p>	No action required as the licence has been varied and this condition has been removed.	The EPA notes that we have had the condition removed and no action is required.
O6.6	No Code Yellow	<p>Storage of chemicals</p> <p>The licensee was not storing chemicals on site in appropriately designed impervious bunded area.</p> <p>The licensee was storing a small number of drums and one 205l drum with unknown substances outside an appropriately designed impervious bund.</p> <p>On the day of the audit inspection the auditors observed a number of 20l drums presumably drums containing the two components of Concover and a 205 l drum on a wooden palette with an unknown substance being stored on soil outside the designated bunded yellow mini shipping container (Photo 15). An unchained compressed air cylinder was also observed next to the drums with Concover and the Easy Lawn Unit that is used to spray Concover</p> <p>The EPA is concerned that storing Concover without appropriate containment increases the likelihood of potential stormwater contamination.</p>	The Licensee must ensure that all chemicals are stored in appropriately designed impervious bunded area.	<p>Noted.</p> <p>Since the Audit the Licensee has undertaken an improvement of their chemical storage areas providing additional bunding to store chemicals.</p> <p>We have also responded to separate enquiries about the matter to EPA and we refer you to those submissions.</p>


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		<p>See also further observation.</p>  <p>Photo 15: Chemicals and fuels being stored without bunding</p>		
	No Code Blue	<p>Monitor at each monitoring/discharge point</p> <p>Condition M2.1 requires the licensee to sample at monitoring points 2.3.5.6.7 and points 9 – 27 including 21 and 22 at BH 10D and BH 12D. As reported in their annual return the licensee did not monitor from these locations, as these bores were blocked for some time. Instead the licensee sampled at points BH 25d and BH 26d.</p>	The Licensee must ensure that all samples are collected at prescribed locations or renegotiate the monitoring points with the EPA.	Noted.
	No Code Blue	<p>Monitor at each monitoring/discharge point</p> <p>As indicated above the licensee did not monitor from these locations. Instead the licensee sampled at points BH 25d and BH 26d.</p>	The Licensee must ensure that all samples are collected at prescribed locations or renegotiate the	Noted.


Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
			monitoring points with the EPA.	
	No Code Blue	<p>Frequency</p> <p>The license is required to monitor the parameters Zinc, Total Organic Carbon and Ammonia monthly.</p> <p>Monitoring results provided by the licensee indicate that these parameters were sampled quarterly and not monthly as required.</p> <p>It is noted that in the previous licence (prior to 22 August 2018), the license was required to sample Zinc, Total Organic Carbon and Ammonia yearly, yearly and quarterly respectively</p>	The Licensee must ensure that samples are collected as required by the licence.	<p>Noted.</p> <p>The Licensee believes the removal of this condition was submitted in the draft variation in August 2018. We are currently seeking clarification.</p>
M3.1 (Scope 22 August 2018 to 17 December 2018)	Yes	Sample collection and handling guidelines		
	No Code Blue	<p>Methods of analysis</p> <p>The license uses a NATA accredited laboratory to analyse the pollutants. The laboratory that carries out analysis for the pollutants is accredited by NATA to use in-house methods.</p> <p>The laboratory is using NATA accredited in-house methods and not the NATA accredited Approved Methods as required by the licence. In some instances (e.g. pH the laboratory is accredited by NATA for the approved method (APHA 4500 H+B and in-house method Inorg-011), however, it is using the in-house method and not the NATA accredited approved method. It is also noted that the in-house method used by the laboratory is undertaken <i>in accordance</i> with the APHA method, however, the laboratory results provided by the licensee indicate that the results for water analyses for pH are indicative only, as the analysis was undertaken outside of the APHA storage times.</p> <p>If the licensee wishes to use alternative methods (e.g.in-house methods) for the analysis of pollutants, the licensee must get prior written approval from the EPA to use the alternative methods.</p>	Monitoring must be carried out in accordance with the Approved Methods unless another method is approved in writing by the EPA.	<p>Noted.</p> <p>The Licensee is currently seeking clarification from the Laboratory that the EPA approved method dated 2003, are no longer valid for a laboratory to maintain NATA accreditation.</p>

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
M7.4	No Code Blue	<p>Monitoring leachate levels</p> <p>The licensee monitors the and records the height of the leachate relative to the Australian height datum at EPA Points 26 and 27 (scope up to 21 August 2018). Monitoring information provided by the licensee indicate that they have not sampled the height at the required frequency. For example, leachate at point 27 was not sampled from 20/04/2018 to 14/05/2018. The licensee has indicated that this was due to new pipes being added and landfilling works in the area.</p>	The Licensee must ensure that the leachate levels are measured at points 26 and 27 as specified in the licence.	<p>Noted.</p> <p>Health and safety of our employees takes precedence for the Licensee over EPA requirements.</p> <p>During the period stated by the EPA and due to safety reasons, the Licensee was unable to access the monitoring location.</p>
R2.1	No Monitoring leachate Code Blue	<p>Notification of environmental harm</p> <p>The licensee did not notify the EPA of a fire that occurred on 25 May 2018, immediately after they became aware of the fire.</p> <p>A fire occurred at the tipping face within the landfill cell at the premises on Friday 25 May 2018 at around 8pm. The licensee indicated that they activated the PIRMP and notified the appropriate authority Rural Fire Services (RFS) and not any of the other four appropriate authorities as required by the PIRMP including the EPA. The RFS attended the fire and at on 26 May 2018 left the landfill at 1 am after the fire was extinguished.</p> <p>The licensee notified the EPA only on 28 May 2018, three days after the incident that was likely to cause or threaten material harm to the environment.</p> <p>The EPA issued a formal show cause notice to the licensee. In response the license indicated that they did not respond immediately, as they did not consider the fire to be an incident that is causing or likely to cause</p>	The Licensee must comply with the condition and ensure that future incidents that are causing or likely to cause environmental harm are reported to the EPA immediately.	<p>Noted.</p> <p>The Licensee has updated their procedures to inform relevant regulatory authorities in a timely manner.</p>

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		<p>environmental harm.</p> <p>However, the licensee advised that they activated the Pollution Incident Response Management Plan and therefore considered the incident an incident that is causing or threatening to cause pollution. According to the requirements of the PIRMP, licensees are only required to notify the relevant authorities of a 'pollution incident', where pollution incident is defined as:</p> <p>"Pollution incident 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.</p> <p>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:</p> <p>(a) harm to the environment is material if:</p> <p>(i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or</p> <p>(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</p> <p>(b) loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.:</p> <p>According to a report obtained by the EPA from the Rural Fire Services (RFS), the fire initially engulfed an area of 15m x 25m and the area of waste combusted by the fire grew to 30m x 30m. To prevent the fire spreading to other areas of the landfill, the services of two heavy plant were required to separate areas of waste that were not yet engulfed in flames. The RFSs used</p>		

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		<p>4 heavy fire tankers, 1 bulk water carrier and 1 RFS commander including 1 on site water cart to put out the fire. The volume of waste burnt was not estimated</p> <p>Based on the above facts, this was a fire that was causing and threatening to cause environmental harm, through the emission of smoke, particles and toxic gases resulting from the burning of waste materials, including plastics, foam and other non-putrescible waste that the licensee is allowed to dispose of at the landfill.</p>		
E4.1 a. d. & e.	No Code Yellow	<p>Alternative cover specifications</p> <p>The licensee uses approved alternative daily cover material on site. The auditors observed alternative material that had previously been used to cover waste and an alternative cover stockpile during the audit inspection. The alternative cover material used to cover waste contained particles bigger than 50mm (see Photo 16 - 18). It was also observed in the stockpile that the alternative cover material also contained pieces of plastic, rubber and timber that must not be contained in the material. The auditors, having viewed the material in the stockpile, were of the opinion, that the alternative cover material also did not contain at least 25% soil or 50% particles less than 1mm.</p> <p>The licensee's representative measured some pieces of alternative cover and they were over 50mm. the licensee tried to explain this by indicating that elongated pieces that are over 50mm could easily pass through a screen that is 50mm in diameter. Although, there were elongated pieces that were above 50mm, there were also squarish pieces that were also more than 50mm in diameter.</p>	The Licensee must ensure that alternative cover used at the premises complies with the specifications given in the licence.	<p>Based on the photos presented by EPA, the Licensee considers that the Auditor has mistaken a stockpile of 40/70 aggregate that is used as a drainage material in the leachate collection system for daily cover.</p> <p>We request this mistake be amended and the condition changed to compliant.</p>

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		 <p data-bbox="667 975 1585 1050">Photo 16 - 18: Alternative cover material showing paper, wood, plastics and material with sizes exceeding 50mm, and <50% material not less than 1mm.</p>		

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		 <p data-bbox="667 922 772 949">Photo 17</p>		

Condition Number	Compliance / Risk assessment	Comment	Action required by licensee	Licensee Comments
		 <p data-bbox="667 802 1200 834">Photo 18: Alternative cover material stockpile</p>		

Table 4 Assessment of Compliance with the Protection of the Environment Operations Act 1997 – Chapter 5, Part 5.7A

Section	Compliance assessment	Comment	Action required by licensee	Licensee Comments
153F	Implementation of plan <i>The PIRMP must be implemented immediately if a pollution incident occurs</i>			
	No Code Blue	<p>The EPA is aware of a fire that occurred at the tipping face on 25 May 2018. The licensee did not activate the PIRMP <i>as required by the legislation</i>.</p> <p>The licensee advised that they activated the PIRMP and informed the Rural Fire Services immediately the fire occurred. However, they did not inform the other regulatory authorities (<i>EPA, Local council, Ministry of Health, Safe Work NSW</i>), that have to be informed of a pollution incident, when activating the PIRMP.</p>	The Licensee must ensure that the PIRMP is activated immediately a pollution incident occurs	<p>The Licensee disputes that it did not implement the PIRMP.</p> <p>Given the nature of the fire, the authorities named were NOT required to be notified.</p> <p>The requirement is to notify those authorities which are impacted or that require notification.</p> <p>For example, the EPA was notified. SafeWork was not required to be notified as the event did not require their attendance.</p>

Table 5 Assessment of Compliance with the Protection of the Environment Operations (General) Regulation 2009- Chapter 7, Part 3A

Section	Compliance assessment	Comment	Action required by licensee	Licensee Comments
098 C (1)	ADDITIONAL MATTERS TO BE INCLUDED IN THE PLAN			
	<i>a) description of the hazards</i>			
	Yes			
	<i>b) likelihood of such hazards occurring</i>			

Section	Compliance assessment	Comment	Action required by licensee	Licensee Comments
	No Code Blue	<p>Section 6 – Potential Hazards on page 10 contains a list of the hazards and each hazard has been given a likelihood e.g. Low and Possible. There is no explanation for how the likelihood was derived. Including a risk matrix in the PIRMP is one way of assessing the risk using consequence vs likelihood to interpret the risk level.</p> <p>Section 6 also does not include the conditions which could or would increase the likelihood of the risk. There are insufficient details of conditions which increase the likelihood of the hazard. For example, the risk of water pollution would be increased if hazardous chemicals were not banded appropriately or not watering the haul roads could increase dust emissions.</p>	<p>The licensee must include in the PIRMP:</p> <ul style="list-style-type: none"> - an assessment of the likelihood of any hazards occurring; and - further details of any conditions or events that could, or would, increase the likelihood of the hazard occurring 	<p>Noted.</p> <p>Licensee is updating the PIRMP.</p>
	No Code Blue	<p>The licensee has listed the chemicals stored on the site. However it should be noted that the <i>Environmental guidelines: Preparation of pollution incident response management plans</i> (www.environment.nsw.gov.au/resources/legislation/201200227egpreppirmp.pdf) states that pollutants can include, but are not limited to, chemicals used in cleaning or production processes, fuels and lubricants used for equipment or machinery, gas cylinders, waste materials or wastewater, effluents and sediment-contaminated stormwater.</p> <p>All <i>potential</i> pollutants on site need to be included in the inventory in the PIRMP. Page 25, Appendix B of the PIRMP contains an inventory of potential pollutants on the premises. However, the licensee has not included all potential pollutants.</p> <p>Potential pollutants may also include the wastes under Condition L3.1 of the Environment Protection Licence that are permitted to be received at the premises including acid sulphate soils, asbestos waste and immobilised waste etc.</p> <p>The EPA notes that the inventory does include “leachate”.</p>	<p>The licensee must ensure that an inventory of all potential pollutants is included in the PIRMP.</p>	<p>Noted.</p> <p>Licensee is updating the PIRMP.</p>

Section	Compliance assessment	Comment	Action required by licensee	Licensee Comments
	No Code Blue	<p>The map on page 23/24 does not show the location of the stormwater drains on the premises.</p> <p>The map Appendix A on page 23 shows the location of infrastructure on site including fuel depot, workshop, leachate tanks, leachate dam and stormwater dams. The in-pit-dam has also been incorrectly labelled as a leachate dam. The EPA recommends that this map is made into an A3 size, so the map can be easily read as it contains a lot of useful information. The street names should also be clearly labelled.</p> <p>The map on page 24 shows the site and a 500m radius from the site. This map of the surrounding area would be much more useful if it showed the location of the immediate neighbours and street names and was much larger.</p>	The licensee must ensure that the Plan includes a detailed map as required.	<p>Noted.</p> <p>Licensee is updating the PIRMP.</p>
	No Code Blue	There is no information in the PIRMP regarding the dates the plan has been tested and name of person who carried out the test.	The licensee must ensure that the PIRMP includes the dates the plan has been tested and name of person who carried out the test.	<p>Noted.</p> <p>Licensee is updating the PIRMP.</p>
	No Code Blue	Page 20 of the PIRMP relates to maintaining and testing the plan, however, it does not outline the way the plan is to be tested and maintained i.e.: desktop simulations or practical exercises and drills.	The licensee must ensure that the PIRMP contains details of the manner in which the plan is to be tested and maintained.	<p>Noted.</p> <p>Licensee is updating the PIRMP.</p>
	No	The PIRMP has not been tested within the audit period (2 March 2017 to 2 March 2018)	The licensee must ensure that	Noted.

Section	Compliance assessment	Comment	Action required by licensee	Licensee Comments
	Code Blue		the testing of the PIRMP is carried out routinely at least once every 12 months so to ensure that the information included is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.	Licensee is updating the PIRMP.

7 Action Program

The action program identified in Table 6 must be undertaken by the licensee.

In addition to this action program, for any '**not determined**' assessments identified through the audit (outlined in Tables 3-5), the licensee must ensure that they comply with the audit criteria.

Table 6 Action Program

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date	Licensee Comments
Environment Protection Licence No. 13426					
27.	L1.3	Maintenance of Appropriate Freeboard The licensee must ensure that the sediment ponds are maintained to retain an appropriate freeboard to minimise the potential for any turbid discharge. Maintenance of Depth Indicators The licensee must ensure that the depth indicators are maintained to accurately show the remaining freeboard	Code Yellow	Ongoing	Completed 20/3/19. Ongoing monitoring and maintenance carried out by Site Projects Officer on a fortnightly basis.
28.	L2.1/L2.2	Concentration limits - EPA ID Point 5 & 6 - Water and/or Land Concentration Limits The licensee must not exceed the limits specified for the overflow points.	Code Yellow	Ongoing	Monitored by Environmental Officer.
29.	L3.1	Receival of waste not permitted by the licence The licensee must not cause, permit or allow any waste to be received at the premises, except as permitted by the licence.	Code Yellow	Ongoing	Predominately monitored by Weighbridge Operators, Area Supervisors and Spotters. All site staff are aware and vigilant of permitted waste and trained to reject unauthorized incoming loads. Signage outlining acceptable waste is displayed around the site. Increased information has been included in our training package.

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date	Licensee Comments
30.	L3.4	Disposal of waste offsite The licensee must comply with the condition. The licensee must provide the EPA the following information: <ul style="list-style-type: none"> • The final destination of the waste with records of acceptance from the destination • The total amount of waste that has been transported for the period 2 March 2017 to 1 March 2018. • Evidence that the waste transported is being landfilled. 	Code Blue	Ongoing	Refer to comments in table.
31.	L3.5	Disposal of waste not permitted by the licence The licensee must not dispose of any waste at the landfill that is not permitted by the licence.	Code Yellow	Ongoing	Predominately monitored by Weighbridge Operators, Area Supervisors and Spotters. All site staff are aware and vigilant of permitted waste and trained to reject unauthorized incoming loads. Signage outlining acceptable waste is displayed around the site. Increased information has been included in our training package.
	L5.1	Hours of operation - Landfill The licensee must operate the landfill only during hours prescribed in the licence.	Code Blue	Ongoing	Refer to comments in table.
32.	M2.1	Hours of operation – Conveyor and chute system The licensee must ensure that the conveyor and chute system is only operated during permitted hours.	Code Blue	Ongoing	Refer to comments in table.

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date	Licensee Comments
33.	M3.1	Maintenance of in-pit-dam The licensee must ensure that all plant and equipment installed at the premises is maintained in a proper and efficient condition.	Code Yellow	Immediately & Ongoing	We are currently investigating alternate means of cleaning the dam surface, that cannot not be impacted by inclement weather. i.e. 2 man drag net. We have purchased a new boat. Refer to attachment M3.1.
34.	O4.3b)	Effectiveness of pests and noxious weed management The licensee must comply with the condition and ensure that noxious pests and weeds are controlled in an effective manner	Code Orange	Immediately & Ongoing	Refer to comments in table.
35.	O5.4 a) i	Covering Waste The licensee must ensure that all exposed waste is covered daily. The licensee must also ensure that asbestos waste is covered as required by the POEO Regulation.	Code Yellow	Ongoing	Refer to comments in table.
36.	O5.4 a) ii	Alternative Cover The licensee must ensure that only EPA approved alternative material is used on the site.	Code Yellow	Immediately & Ongoing	Refer to comments in table.
37.	O5.9	Disposal of waste in landfill void The licensee must dispose of waste only in the landfill void unless otherwise specified in the licence.	Code Blue	1 May 2019	Refer to comments in table.
38.	O5.10	Filling plan The licensee must submit and maintain a filling plan the is updated at least at intervals of no greater than 12 months.	Code Blue	Immediately & Ongoing	Refer to attachments and comments in table.
39.	O6.6	Storage of chemicals The licensee was not storing chemicals on site in appropriately designed impervious bunded area.	Code Yellow	Immediately & Ongoing	Completed. Refer to comments in table.

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date	Licensee Comments
40.	M2.1 – M2.2 (scope 2 March 2017 to 21 August 2018)	Monitor at each monitoring/discharge point The licensee must ensure that all samples are collected at prescribed locations or renegotiate the monitoring points with the EPA.	Code Blue	1 May 2019	Refer to comments in table.
a	M2.1 – M2.2 (scope 22 August 2018 to 17 December 2018)	Frequency The licensee must ensure that samples are collected as required by the licence	Code Blue	Next sampling event and ongoing	Refer to comments in table.
41.	M3.1 (Scope 22 August 2018 to 17 December 2018)	Methods of analysis Monitoring must be carried out in accordance with the Approved Methods unless another method is approved in writing by the EPA.	Code Blue	1 May 2019	Refer to comments in table.
42.	M7.4	Monitoring leachate levels The licensee must ensure that the leachate levels are measured at points 26 and 27 as specified in the licence.	Code Blue	Ongoing	Complete. The Licensee has now installed a transducer (logger) which monitors and records leachate levels.
43.	R2.1	Notification of environmental harm The licensee must comply with the condition and ensure that future incidents that are causing or likely to cause environmental harm are reported to the EPA immediately.	Code Blue	Ongoing	Refer to comments in table.
44.	E4.1 a. d. & e.	Alternative cover specifications The licensee must ensure that alternative cover used at the premises complies with the specifications given in the licence.	Code Yellow	Immediately/ongoing	Refer to comments in table.
Protection of the Environment Operations (General) Regulation 2009- Chapter 7, Part 3A					
45.	153F	Implementation of plan The licensee must ensure that the PIRMP is activated immediately a pollution incident occurs	Code Blue	Ongoing	The Licensee is proactively procuring a suitably qualified Environmental Consultant to undertake a full revision of our PRIMP.
Protection of the Environment Operations (General) Regulation 2009- Chapter 7, Part 3A					

Item	Condition/ Clause No.	Action Details	Non- Compliance Code	Target/ Action Date	Licensee Comments
46.	98 C (1) b)	<i>Likelihood of such hazards occurring</i> The licensee must include in the PIRMP: <ul style="list-style-type: none"> an assessment of the likelihood of any hazards occurring; and further details of any conditions or events that could, or would, increase the likelihood of the hazard occurring. 	Code Blue	1 April 2019	The Licensee is proactively procuring a suitably qualified Environmental Consultant to undertake a full revision of our PRIMP.
47.	98 C (1) d)	<i>Inventory of potential pollutants</i> The licensee must ensure that an inventory of all potential pollutants are included in the PIRMP.	Code Blue	1 April 2019	
48.	98 C (1) k)	<i>Detailed map</i> The licensee must ensure that the Plan includes a detailed map as required.	Code Blue	1 April 2019	
49.	98 C (1) m)	<i>Staff training program</i> The licensee must ensure that the Plan includes the nature and objectives of any staff training programs.	Code Blue	1 April 2019	
50.	98 C (1) o)	<i>Dates the plan was updated</i> The licensee must ensure the Plan includes the dates on which the Plan was updated.	Code Blue	1 April 2019	
51.	98 C (1) p)	<i>Testing and maintaining the Plan</i> The licensee must ensure the Plan includes the dates on which the Plan was updated.	Code Blue	1 April 2019	
52.	98 E (1) & (2) a)	<i>Testing of plan</i> The licensee must ensure that the testing of the PIRMP is carried out routinely at least once every 12 months so to ensure that the information included is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.	Code Blue	Ongoing	

APPENDIX C
LETTER FROM EPA TO LICENSEE COVERING DRAFT COMPLIANCE AUDIT REPORT



Our reference: Doc19/266534
Contact: Winston Wickremeratne 02 9995 5424

29 March 2019

Mr Simon Sherwood
Site Operations Manager
Honeycomb Drive
EASTERN CREEK NSW 2766

Dear Mr Sherwood,

Re: Environmental Compliance Audit – Dial-a-Dump (EC) Pty Ltd – Environment Protection Licence Number 13426

The Environment Protection Authority (EPA) is pleased to present you with a copy of the Final Compliance Audit Report containing the summary of Audit Findings for Dial-a-Dump (EC) Pty Ltd's Eastern Creek landfill. The audit was undertaken as part of an audit program of facilities licensed under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). As part of the audit, the licensee's Environmental Pollution Incident Response Management Plan (PIRMP) was also assessed.

The audit inspection was undertaken by officers of the EPA on 17 December 2018. A draft summary of audit findings was emailed on 28 February 2019. Your response to the draft audit findings provided in email correspondence dated 25 March 2019 has been considered when finalising the audit findings and has been attached as Appendix A to the final audit report. The EPA notes your comments that you have and are implementing actions to address the issues of non-compliance identified in the Draft Audit Report. The EPA's response to this and other specific comments are provided in Attachment A to this letter.

To ensure that all non-compliances in the report are addressed, we request that you provide an update on your progress against each of the items in the Action Program (Table 8) of the Final Audit Report with supporting evidence (copies of documentation, photos etc. showing how the action was implemented to address the identified non-compliance) by 1 May 2019 to winston.wickremeratnelucy@epa.nsw.gov.au. Please also note any comments in the Final Audit Report against assessments of "Not determined" and the comments under Section 3 "Further Observations".

A copy of this letter and the Final Compliance Audit Report will be made available on the POEO Public Register (<http://www.epa.nsw.gov.au/prpoeoapp/>).

I would like to take this opportunity to thank you and your staff for the co-operation during the audit. If you require further information or clarification on any matters regarding the audit, please do not hesitate to contact me on 02 9995 5424.

Sincerely

DR WINSTON WICKREMERATNE
Head Environmental Audit Unit
Environment Protection Authority

Attachment A: EPA's response to your comments
Attachment B: Final Compliance Audit Report – Dial-a-Dump (EC) Pty Ltd.

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(from outside NSW)				

ATTACHMENT A: EPA response to Genesis Pty Ltd email dated 25 March 2018

Condition L1.3

The explanation given by the licensee does not offer any additional evidence that could change the assessment made in the audit report.

The condition requires the sediment ponds to be maintained to ensure appropriate freeboard to minimise the potential for any turbid discharge. On the 28 November 2018, the licensee's Daily Visual Inspection Report (as seen in the excerpt provided below) indicates that the south west sediment dam was full (and the north west dam), turbid and that there is sediment build up in dams, swales and drains. The licensee discharged from the south west dam, the following day on the 29 November 2018. The rainfall data from the Bureau of Meteorology's Erskine Park Station (used by the licensee) indicates that the rainfall for five consecutive days of the day of this inspection was:

24 November 2018 – 0 mm

25 November -2018 – 0 mm

26 November 2018 - 0 mm

27 November 2018 - 0 mm

28 November 2018 – 14 mm

The licensee's statement in their response that at the time of the visual inspection "the site has received significant amounts of water" is not substantiated with any evidence. The only evidence available indicates that prior to 9am on 28/11/2018 there had been only 14 mm of rainfall.

After the audit it is noted that the licensee has taken steps towards ensuring compliance with the condition by desilting the swales and the two dams and is in the process of developing a maintenance schedule for desilting the dams.

Condition L2.1/L2.2

The explanation given by the licensee does not provide any verifiable evidence to change the EPA's assessment of the condition as being non-compliant.

As indicated in the draft report, compliance with conditions L2.1/L2.2, requires the fulfilment of two criteria:

1. The discharge has occurred solely as a result of a rainfall event at the premises exceeding a total of 45mm over any consecutive five-day period; **and**
2. The licensee has taken all practical measures to avoid or minimise water pollution.

As indicated in the draft report, the licensee has only complied with criteria 1 and has not complied with criteria 2. It is very clear from the daily visual inspection report (see report above) that the dams were full, which indicated that the licensee had not taken all practical measures to keep the sedimentation dams in a drawn down state, to prevent water pollution (see also EPA response and assessment of condition L1.3 regrading desilting the dams and the licensee's response about "working on a program for the desilting", which conflicts with their explanation in response to the assessment of conditions L2.1/L2.1 regarding desilting dams.

Condition L3.4

The licensee has not provided any evidence to change the EPA's assessment of this condition. The condition requires all waste outputs from the processing facility to be disposed of at the on-site landfill.

The licensee is disposing of waste outputs at an off-site landfill.

Condition L3.4 states:

“Except for the following, the Proponent shall dispose of all outputs produced from the waste processing and/or recovery facility on site, subject to the EPL 20121, to the landfill:

- a) Recyclables extracted and delivered off-site for resource recovery purposes;
- b) Hazardous wastes extracted from the input waste stream and lawfully disposed of off-site;
and
- c) Output waste derived materials approved for use under the *POEO Act, 1997* and Regulations.”

The licensee is disposing offsite outputs from the waste processing and/or recovery facility, whereas the condition indicates clearly that the waste from the processing facility (EPL 20121) is allowed only to be disposed of at the landfill.

Condition L5.2

The EPA acknowledges that the chute does not generate tickets and that they have been manually filled in. however, there is no plausible reason why the dockets would be manually entered to indicate **5.21am** and **5.57am**, when the general rubbish referenced in the report was transported through the chute into the landfill, taking into account that the processing plant is allowed only to operate between 7am and 6pm Monday to Friday and 8am and 4pm Saturday, Sunday and Public holidays.

No change has been made to the assessment of compliance.

Condition O4.2 b)

The reference to the Vegetation Management Plan (VMP) submitted to the Department of Planning has no bearing on the assessment of the condition relating to the control of noxious weeds and pests in the EPL. The VMP only provides recommendation on weed control techniques that could be used at the facility. The plan does not provide any recommendations on the frequency of weed control, removal and monitoring. The VMP does not provide any evidence of the implementation of any pests and weed management control measures at the landfill. As described in the draft report, any pests and weed management activities undertaken at the landfill appear to have not been effective.

The assessment has not been changed.

Condition O5.4 (a) i)

Covering of Waste

On the day of the audit inspection the area with the uncovered waste was first observed from the viewing platform at **9.37am** by the auditors. It was clear *that no waste was being disposed of* in the area referenced at that time or on the day of the audit inspection, which can be seen clearly in attached photo.



The contrasting colours of the soil indicate that there had been no filling operations on the day of the audit inspection where the auditors observed the uncovered waste.

On the day of the audit inspection, filling operations was concentrated at the north-east portion of the landfill. It is also noted that very little waste had been disposed even in that area, due to a truck transporting waste to the tipping waste getting stuck in the mud from the heavy rain experienced during the weekend and there was a long queue of truck had formed, awaiting their turn to dispose of waste (attached photos).



Waste filling operation at 9:37am on the day of the audit inspection indicating where filling operations were taking place in the north-east areas of the landfill



Close- up of vehicles queuing up.

It is also noted that at the time of the audit inspection the licensee's representative did not disagree with the auditors, when they showed him the area where the waste had not been covered in a previously covered area. The licensees' representative then phoned the landfill supervisor and asked him to cover the waste.

Condition O5.9

See EPA comments on condition L3.4.

Condition O5.10

Noted

Condition E4.1 a. d. &e.

The licensee's representative was present and as stated in the draft report, measured the alternative cover material and at no time did he disagree with the auditors at that time. The attached photos clearly indicate that this material is alternative cover material consisting of crushed concrete, crushed bricks, crushed clay tiles and crushed glass.





The EPA would also like to point out that the specification for the drainage material as referenced in condition O5.23 requires that the material be a minimum of 20mm and a maximum of 40mm and must not be angular. If this was drainage material, then the licensee is in breach of the specification of the drainage material.

Condition 153F – Pollution Incident Response Management plan (PIRMP)

The licensee has disputed the assessment that they did not implement the PIRMP. What the EPA indicated in the draft report in the assessment was that the licensee did not implement the ***PIRMP as required by the legislation.***

Legislation specifies that that when the licensee becomes aware of a pollution incident, the licensee must immediately implement the PIRMP by notifying all the following agencies: EPA; Fire & Rescue NSW or Rural Fire Service; SafeWork NSW; Ministry of Health and Local Council.

Notification does not always require all agencies contacted to attend the pollution incident. The Authorities themselves will decide on whether they require attendance or not, depending on the circumstances of the pollution incident.