



|         |     |
|---------|-----|
| Ass #   | 642 |
| Bull #  | 617 |
| State # | 272 |

WESTERN AUSTRALIA  
MINISTER FOR THE ENVIRONMENT

DISPOSAL OF INTRACTABLE WASTES FROM WESTERN AUSTRALIA  
PCBs & AGRICULTURAL PESTICIDES (642)

BRAMBLES AUSTRALIA LTD

This proposal may be implemented subject to the following conditions:

**1 Proponent Commitments**

In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Public Environmental Review and in the proponent's response to issues raised in the assessment of this project, contained in Appendix 1 of Environmental Protection Authority Bulletin 617 (A copy of the commitments is attached).

**2 Implementation**

Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

**3 Commonwealth Export Permit**

- 3-1 The proponent shall only export intractable wastes to the Ellesmere Port high temperature incinerator facility in the United Kingdom as identified in the existing Commonwealth Export Permit, or as otherwise provided for by condition 3-3.
- 3-2 The proponent shall not export intractable wastes to the Ellesmere Port high temperature incinerator facility until the United Kingdom becomes a Party to the Basel Convention (the United Nations Environment Programme Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal) or has a bilateral agreement with the Commonwealth of Australia pursuant to the Basel Agreement.
- 3-3 If the proponent chooses to use an alternative overseas high temperature incinerator facility located in a country which is either a Party to the Basel Convention or which has a bilateral agreement with the Commonwealth of Australia pursuant to the Basel Convention, the proponent would be granted permission by the Minister for the Environment to do so only after presentation to the Environmental Protection Authority of a current Commonwealth Export Permit which nominates that particular incinerator facility. This shall be done prior to the export of any intractable wastes to that facility.

Published on

- 9 JUL 1992

#### 4 Proponent

No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

#### 5 Time Limit on Approval

- 5-1 If the proponent has not substantially commenced the project within one year of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of one year referred to in this condition shall be made before the expiration of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the one year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority.)
- 5-2 If the proponent has not substantially completed the project within five years of the date of this statement, then the approval to complete the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially completed.

Bob Pearce, MLA  
MINISTER FOR THE ENVIRONMENT

9 JUL 1992

## **Commitments**

The Proponent undertakes to conduct all operations connected with the handling, packaging, labelling, transport and shipment of intractable wastes currently held in Western Australia in accordance with the details presented in this document and in accordance with the following commitments.

### **1. General**

- a) The collection, packaging, transport storage and ultimate disposal of all waste will be carried out according to the requirements of all relevant Government statutes and agencies, and to the satisfaction of the Environmental Protection Authority.

### **2. Responsibility for the waste**

- a) The Proponent will accept contractual obligations and responsibility whether or not title to the wastes has been relinquished by the source owners. Responsibility will remain with the Proponent until the material is destroyed. Upon destruction a Certificate of Destruction will be provided to the source owner and to the Environmental Protection Authority (if required).
- b) The Proponent will establish the nature of all wastes so that the wastes can be labelled properly. This will be done prior to taking responsibility for the waste and to the satisfaction of the Environmental Protection Authority.
- c) In the event of waste not being accepted by the operator of the incinerator because of inappropriate labelling or description, the Proponent commits itself to retaining responsibility for the waste to the satisfaction of the Environmental Protection Authority.

### **3. Packaging**

- a) All packaging at source, repackaging at temporary storage facilities and containerisation will be carried out to the satisfaction of the source owners of the waste, the Environmental Protection Authority and all other relevant government agencies.

### **4. Transport**

- a) Transport of all wastes will be carried out in a manner satisfactory to the source owners of the waste, the Environmental Protection Authority and all relevant government agencies.
- b) In the case of a spill, all emergency procedures, as required, will be carried out to the satisfaction of the source owners of the waste, the Environmental Protection Authority and all relevant government agencies.

### **5. Potential environmental impacts**

- a) In the very unlikely event of a spill causing an environmental or associated social impact, the Proponent will carry out remedial work to minimise that impact to the satisfaction of the source owners of the waste and the Environmental Protection Authority.

### **6. Auditing**

- a) At all stages of transport from source to destruction an audit trail will be established for all wastes in a manner satisfactory to the source owners of the waste, the Environmental Protection Authority and all relevant government agencies.

## **7. Reporting**

- a) The Proponent will report on all its intractable waste disposal activities directly and indirectly relating to this proposal. This reporting will be done in a manner satisfactory to the source owners of the waste and the Environmental Protection Authority.

## **8. Storage**

- a) In the event that a consignment cannot be directly loaded into ship's stowage, to avoid on-wharf storage, the consignment will be returned to the Central Receiving Point and placed in interim storage or held until the situation that caused the delay is resolved, and this commitment will be carried out to the satisfaction of the EPA
- b) For the transport of wastes from the various storage locations the proponent commits itself to transport all the materials by a route satisfactory to EPA.
- c) The proponent will provide specific training for relevant personnel within the Port of Fremantle. Port Authority personnel directly associated with the project will be provided with an understanding of the hazards associated with the consignment and given instructions on their role in case of emergency.

## **9. Other commitments**

- a) If the Environmental Protection Authority deems that unforeseen (by the EPA) problems arose or could arise, the Proponent will modify its modus operandi in a manner satisfactory to the Environmental Protection Authority.
- b) The Proponent will be responsible for clean up of any temporary storage if a spill were to occur and will ensure that such facility is clean when the Proponent no longer has a licence to export intractable waste. Such cleanup will be carried out to the satisfaction of the Environmental Protection Authority.
- c) The Proponent will provide assistance to the source owners of the wastes in the on-site preparation of the material to ensure the well being of all personnel remains a significant consideration and also to ensure the service is carried out in an exemplary manner, in accordance with the Proponent's Quality Assurance commitment.