



Ass # 646

Bull # 623

State # 273

WESTERN AUSTRALIA
MINISTER FOR THE ENVIRONMENT

DISPOSAL OF INTRACTABLE WASTES FROM WESTERN AUSTRALIA
PCBs & AGRICULTURAL PESTICIDES (646)

CARPENTARIA ENVIRONMENTAL SERVICES PTY 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 623 (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 Pontypool and Fawley high temperature incinerator facilities 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 Pontypool and Fawley high temperature incinerator facilities 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.

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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 M.L.A.
MINISTER FOR THE ENVIRONMENT

09 JUL 1992

COMMITMENTS

Carpentaria Environmental Services commit to carrying out the following commitments:

1. The Proponent will perform the packaging, handling and transport of the waste materials in conformance to the relevant Local, State, Federal and International Regulations that pertain to the operation. This will be done to the satisfaction of the Government Authorities which are responsible for these regulations, the EPA and the owners of the waste materials.
2. The Proponent accepts responsibility for the waste materials, even though ownership of the waste materials has not changed, from when the packaging and transport of the waste materials has commenced through to the presentation of the Certificate of Destruction of the wastes to the owner. This will be done to the satisfaction of the EPA and the Commonwealth Department of Arts, Sport, the Environment, and Territories.
3. The Proponent commits to the triple containment of the waste materials prior to transport of the material where the nature of the waste materials will allow. This will be done to the satisfaction of the owners of the waste, the EPA and all other relevant Government Authorities.
4. The Proponent commits, in the case of mishap involving the waste, to performing emergency procedures including the clean-up of any spill to the satisfaction of the owners of the waste, the EPA and all relevant Government Authorities.
5. The Proponent commits to seeking approval for any interim storage facility that may be required for the consolidation of small holdings of waste material. This will be done to the satisfaction of the EPA.
6. The Proponent commits to establishing an audit trail for the transport operation to the satisfaction of the owners of the waste and the EPA.
7. The Proponent commits to reporting the progress of the waste materials transport operation to the owners of the waste materials and the relevant Government Authorities at their request. This will be done to the satisfaction of the EPA, the owners of the waste materials and other relevant Government Authorities.
8. The Proponent commits to modifying the *modus operandi* of the transport operation should the EPA deem that unforeseen circumstances have arisen that require such changes in operation. This will be done to the satisfaction of the EPA.