

Pollution Incident Response Management Plan

NCIA, Rutherford



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Prepared for

National Ceramic Industries Australia Pty Ltd

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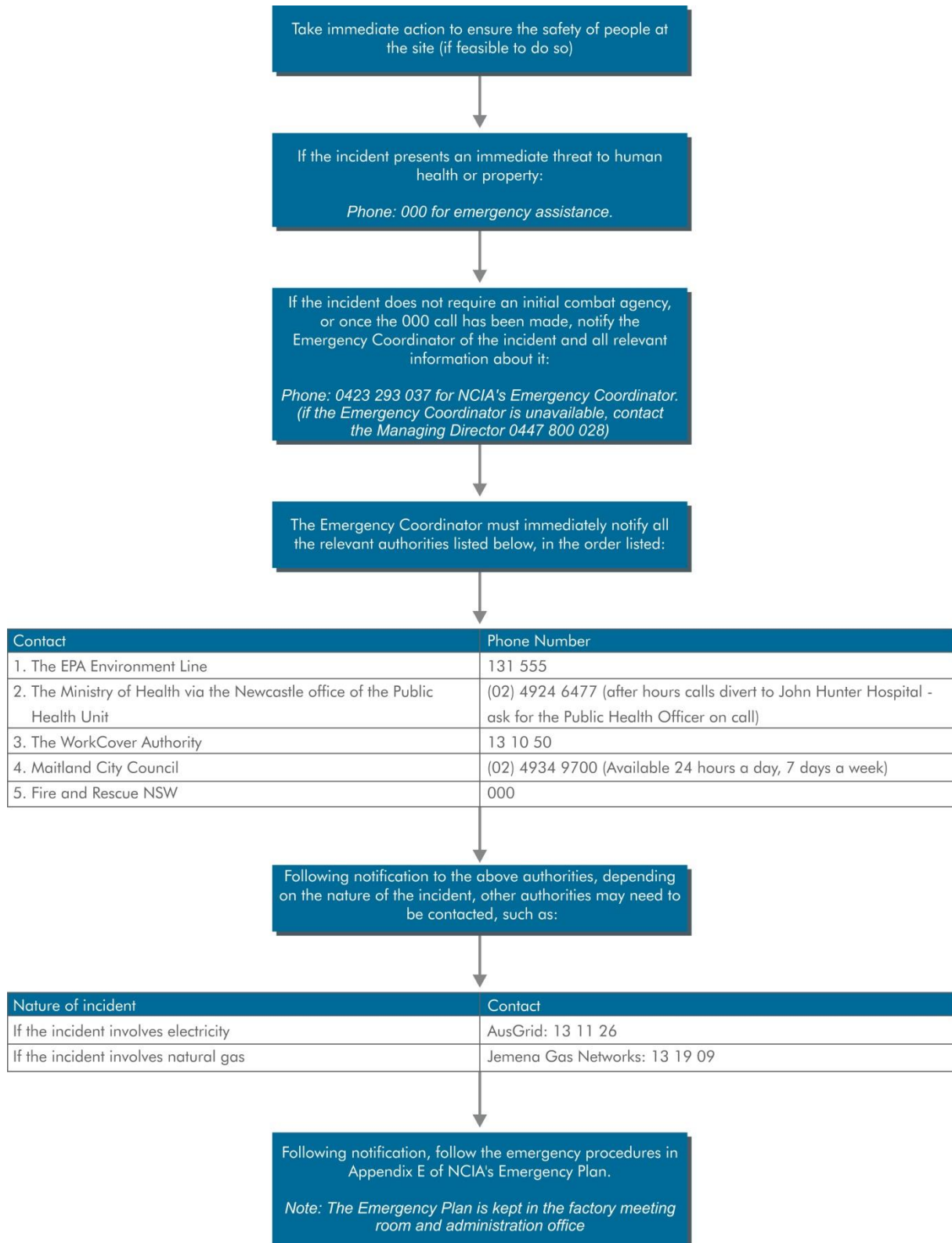
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What to do if a Pollution Incident Occurs

A "Pollution Incident" is an incident that causes or threatens material harm to the environment (see Section 1.2).



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1.0 Introduction

This pollution incident response management plan (PIRMP) has been prepared for National Ceramic Industries Australia (NCIA) for the ceramic tile production facility, located within the Rutherford Industrial Estate, in the Hunter Valley, NSW.

The PIRMP sets out the procedure to be followed in the event of a pollution incident at the site. The objectives of the PIRMP are to:

- Ensure comprehensive and timely communication about a pollution incident to personnel at the site, the Environment Protection Authority (EPA), other relevant authorities, and people in the community who may be affected by the impacts of the pollution incident;
- Minimise and control the risk of a pollution incident at the site by requiring identification of risks and the development of planned actions to minimise and manage those risks; and
- Ensure that the PIRMP is properly implemented by trained staff, identifying persons responsible for implementing it, and ensuring that the plan is regularly tested for accuracy, currency and suitability.

1.1 Legislative requirement for the Plan

The ceramics facility operates under Environment Protection Licence (EPL) 11956. In accordance with the Protection of the Environment Operations Act 1997 (POEO Act), all EPL holders are required to prepare and implement a PIRMP for each licenced site. Part 5.7A, section 153A of the POEO Act states:

Duty of licence holder to prepare pollution incident response management plan.

The holder of an environment protection licence must prepare a pollution incident response management plan that complies with this Part in relation to the activity to which the licence relates.

The PIRMP must include the information detailed in the POEO Act and content specified in the POEO (General) Regulation. This PIRMP has been prepared in accordance with the POEO Act, the Regulation, and the EPA guidelines "Preparation of pollution incident response management plans", 2012. A checklist of legislative requirements and where those requirements have been met in this PIRMP is provided in Appendix A.

Offences have been introduced under the legislation for not preparing a PIRMP. Offences are also in place for not keeping the PIRMP at the premises to which it relates, not testing the PIRMP in accordance with the Regulation, and not implementing the PIRMP when an incident occurs.

1.2 What is a Pollution Incident?

In accordance with the POEO Act (section 153F), if a pollution incident occurs in the course of an activity so that material harm to the environment is caused or threatened, the person carrying on the activity must immediately implement the PIRMP.

'Pollution Incident' is defined in the dictionary of the POEO Act as:

A 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.

'Material Harm' is defined in section 147 of the POEO Act. Material harm includes on-site harm, as well as harm to the environment beyond the premises where the pollution incident occurred.

147 Meaning of material harm to the environment

(1) For the purposes of this Part:

(a) harm to the environment is material if:

(i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or

- (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*
- (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.*
- (2) For the purposes of this Part, it does not matter that harm to the environment is caused only in the premises where the pollution incident occurs.*

1.3 Immediate notification

EPL licensees, and anyone carrying on an activity or occupying a premises who becomes aware of a pollution incident, are required to report the pollution incident **immediately** (under section 148 of the POEO Act). (Formerly the requirement was 'as soon as practicable'.)

'Immediate' means licensees need to report pollution incidents promptly and without delay. There is a \$2 million maximum penalty for failure to notify of a pollution incident in accordance with the requirements of the POEO Act.

The requirement to notify applies to:

- All holders of EPLs; and
- Persons that undertake activities resulting in a pollution incident.

Further information regarding notification and who to notify is specified in Section 3.0 of this PIRMP.

2.0 The Site

2.1 Location

The ceramic tile manufacturing facility is located at 175 Racecourse Road, Rutherford, in the Rutherford Industrial Estate. The facility produces ceramic wall and floor tiles for the domestic market.

The site is immediately surrounded by industrial neighbours. Close by the estate is rural land, future residential land, and a retail centre. A map showing the premises and the surrounding environment is provided at Appendix B, Figure 1.

2.2 Site Activities

The site operates 24 hours a day, seven days a week. The site consists of a main production building; sales and business office; laboratory facilities; raw materials receipt, mixing, pressing, drying, glazing and firing facilities; stacking, packing and storage facilities; and water detention ponds.

The manufacturing plant is housed within the main production building. All processes occur within the building including:

- Unloading and storage of raw materials;
- Milling and pressing;
- Glazing and printing;
- Tile firing (in kilns); and
- Product packaging and sorting.

Finished tiles are stored and loaded for distribution outside of the building in the south western corner of the site.

The raw materials used in the production process includes: clay, white granite, rhyolite, and glazes.

Operations require gas for the production process, and diesel for mobile plant used for loading and unloading.

All transport to and from the site is via road. Semi-trailers and B-double trucks transport the raw materials and finished product.

2.3 Environmental Site Documents

EPL 11956 allows 'ceramics production' at the site (up to 200,000 tonnes produced per annum). The EPL also requires monitoring at the site to ensure compliance with environmental limits specified in the EPL.

NCIA's site documents provide environmental, health and safety controls for the site. Documents include NCIA's:

- Emergency Plan;
- Safety Management System; and
- Operation Environmental Management Plan.

These documents are reviewed and updated.

In addition, standard and site-specific procedures and management plans are in place to direct activities undertaken at the site. The procedures and plans outline the checks, testing, and safety requirements taken to promote a safe working environment for people, and to manage potential impacts to the environment.

Safety goals are achieved through performance of personnel and equipment to a defined standard listed in NCIA's "Occupational Health and Safety Manual".

Relevant Australian Standards are applicable to activities at the site. Various legislative requirements also apply to activities at the site and are complied with.

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3.0 Pollution Incident Notification Protocol

3.1 When is notification required?

If a pollution incident occurs in the course of an activity that causes or threatens material harm to the environment there is a duty to notify. A definition of pollution incident and an explanation of material harm are provided at Section 1.2.

The duty to notify does not apply to a pollution incident involving only the emission of an odour, and does not include an incident or set of circumstances involving only the emission of noise.

You are not required to notify if the incident is an ordinary result of action required to be taken to comply with the EPL at the site, an environment protection notice or other requirement of the POEO Act.

3.2 Who has a duty to notify?

Under the POEO Act, the following people have a duty to notify of the pollution incident:

- The person carrying on the activity (including casual or shift workers, or contractors);
- An employee or agent carrying on the activity;
- An employer carrying on the activity; and
- The occupier of the premises where the incident occurs.

Notification must be given immediately, i.e. promptly and without delay, after the person becomes aware of the incident (in accordance with section 148, POEO Act).

Penalties can apply if there is a failure to notify (\$2,000,000 for a corporation and \$500,000 for an individual). A person must notify even though the notification might incriminate the person.

3.3 Who do you notify?

Firstly, call 000 if the incident presents an immediate threat to human health or property. Fire and Rescue NSW, the NSW Police, and the NSW Ambulance Service are the first responders, as they are responsible for controlling and containing incidents.

If the incident does not require an initial combat agency, or once the 000 call has been made, you must immediately notify the Emergency Coordinator of the incident and all relevant information about it. The Emergency Coordinator will contact the Managing Director. Contact details for the Emergency Coordinator and Managing Director are provided in Table 1. (In the absence of the Emergency Coordinator, the Managing Director will fulfil the responsibilities of the Emergency Coordinator.)

Table 1 Notification to NCIA

Contact	Phone Number
Factory Manager (Emergency Coordinator)	0438 797 697
Managing Director	0447 800 028

The Emergency Coordinator is:

- i) Responsible for activating the PIRMP;
- ii) Authorised to notify relevant authorities as advised below; and
- iii) Responsible for managing the response to a pollution incident.

Upon receiving notification, the Emergency Coordinator must determine if the event is a pollution incident (refer to section 1.2). If it is a pollution incident, the Emergency Coordinator must then immediately (that is, promptly and without delay), provide notification of the pollution incident to all the authorities identified in Table 2, in the order as listed.

Table 2 Notification to Relevant Authorities

Contact	Phone Number
1. The EPA Environment Line	131 555
2. The Ministry of Health via the Newcastle office of the Public Health Unit	02 4924 6477 (after hours calls divert to John Hunter Hospital - ask for the Public Health Officer on call)
3. The WorkCover Authority	13 10 50
4. Maitland City Council	02 4934 9700 (Available 24 hours a day, 7 days a week)
5. Fire and Rescue NSW	000

Whenever an incident notification is made, **all five** relevant authorities must be contacted. For example:

- If you initially rang Fire and Rescue on 000 due to an immediate threat to life and property, you must still contact the other four authorities; or
- If the incident did not require an initial combat agency, you must still notify all of the response authorities (including Fire and Rescue) in the order listed in Table 2.

You do not have to notify if you know that all relevant authorities are already aware of the incident (section 151 POEO Act).

If, at the time of making the notification, you believe that some of these authorities do not need to attend the incident, you may provide that advice. However, you must still provide all the information you have regarding the incident to each authority. It is the responsibility of each authority to decide whether they need to attend the incident.

Where authorities decide not to attend, the incident notification enables each authority to respond to enquiries about the incident and provides them with initial information in the event that the incident escalates or their involvement in managing the incident is required at some later stage.

NCIA may also need to make the following notifications depending on the nature of the incident:

- If the incident involves Natural Gas, contact Jemena Gas Networks: 13 19 09; and
- If the incident involves electricity, contact AusGrid: 13 11 26.

3.4 What information must you provide?

Sufficient detail of the incident must be reported to the EPA to enable appropriate follow-up action. The relevant information required includes:

- a) The time, date, nature, duration and location of the incident;
- b) The location of the place where pollution is occurring or is likely to occur;
- c) The nature, the estimated quantity or volume and the concentration of any pollutants involved, if known;
- d) The circumstances in which the incident occurred (including the cause of the incident, if known); and
- e) The action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known.

Any information that is not known when the incident is notified must be provided immediately once it becomes known.

3.5 Coordination with authorities

In the event of an immediate threat to life and property, the incident will be coordinated by emergency services. In such a case, when external emergency services arrive on site their Senior Emergency Services Officer (usually from the Fire Brigade) will take on the role of Emergency Coordinator. NCIA will act under instruction from emergency services and take any action as directed to combat pollution caused by the incident.

The NCIA person through whom all communications are to be made to coordinate with authorities in such a case is the NCIA Emergency Coordinator.

4.0 Community Engagement Protocol

4.1 Wider notification

The EPA can formally direct NCIA to notify others. This direction will require NCIA to contact commercial, industrial and residential neighbours to inform them of the circumstances of the incident and what action is being taken in response to it. It will be an offence not to comply with such a direction.

The EPA may advise NCIA of the extent of notification required. If not, NCIA would determine the extent of who to contact based on the nature of the pollution incident and the conditions at the time (for example, the type of pollutant, prevailing winds, magnitude of incident, and possible impacts).

4.2 Communication mechanisms

In the event that the pollution incident is being coordinated by emergency services, communications would be under the control of emergency services. Emergency services are able to send out SMS messages to defined catchment areas to alert and advise the community if required. NCIA would work with emergency services to provide communications assistance and support, including direct doorknocks if they were required.

If communication is not coordinated by emergency services, notification to the owners or occupiers of premises in the vicinity of the NCIA ceramics facility would be coordinated by NCIA's Emergency Coordinator.

A list of neighbours within the vicinity (located on Gardener Road, Kyle Street, Racecourse Road and Burlington Place) and their telephone numbers is provided in the Emergency Plan.

NCIA has a variety of mechanisms available for providing early warnings and regular updates to neighbours and the community. The mechanisms to be employed would depend on the nature of the incident and include:

- Telephone calls and SMS messages to immediate neighbours;
- Media releases to the broader community (radio and television);
- Incident notification on the NCIA website;
- Emails to community representatives; and
- Doorknocking of affected neighbours and community members.

The communication response to be used in the event of a pollution incident would depend on the circumstances of the event, and any direction that may be provided by the EPA.

4.3 Information to be provided

In the event of a pollution incident, communication to the community would include specific information to minimise the risk of harm. For example, this may include instructions to close windows and doors and remain inside for incidents involving emission of air pollutants.

The information to be provided would be dependent on the nature and circumstances of the event.

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5.0 Site Response

This section of the PIRMP provides a description of the action that would be taken immediately after a pollution incident has been notified.

5.1 Minimise risk to persons on premises

The first response is always to ensure that risk to people at the site is minimised.

NCIA has 60 personnel who are involved in management and administration, sales and marketing, laboratory and technical work, and process control. At any given time, the site could potentially also accommodate truck drivers, specialist contractors in maintenance or equipment operation.

Any emergency incident at the site shall be dealt with according to:

- **NCIA's Emergency Plan.**

This procedure specifies the arrangements for minimising the risk of harm to any persons at the ceramics facility should an emergency occur. The action to be taken would depend on the type of emergency and may include:

- Activating the warning alarm/s;
- Evacuating personnel to evacuation assembly points; and
- Emergency shutdown.

The Emergency Plan provides specific strategies for:

- Emergency communication;
- Emergency response and control; and
- Clean-up following an emergency.

If medical advice is required, NCIA has an ongoing relationship with health providers. Contact phone numbers for medical assistance are provided in the Emergency Plan (refer to Appendix E of the Emergency Plan).

5.2 Reduce or Control Pollution Incident

Only if it is safe to do so should action be taken to reduce or control the pollution incident.

The actions to be taken to ensure that NCIA manages a response to environmental emergencies (including fuel spill and gas leaks) have been identified in:

- **NCIA's Emergency Plan.**

The Emergency Plan is kept in the factory meeting room and administration office and refers to specific workplace procedures depending on the incident that has occurred. Which procedure to be followed will depend on the nature of the incident and will be determined by the supervisors and managers on site at the time of the incident. Procedures relevant to pollution incidents are provided in the Emergency Plan including procedures for:

- Site evacuation;
- Response in the instance of a site fire;
- Fuel spill or LPG gas leak; and
- Natural Gas leak.

These procedures are provided in the Emergency Plan (refer to Appendix E of NCIA's Emergency Plan). The procedures include arrangements for stopping-work, deployment of spill containment equipment, and clean up action.

NCIA's Emergency Coordinator shall ensure those persons responsible for the pollution incident take the appropriate clean up steps following the incident. Waste handling and disposal procedures are specified in the Emergency Plan (refer to Appendix F of the Emergency Plan), and include contact details for waste disposal contractors.

NCIA is responsible for disposing waste hazardous substances through a licenced contractor. Under no circumstances should any oily waste, hazardous substances or garbage materials be discharged into any stormwater drains.

6.0 Hazards

This section of the PIRMP identifies the main potential hazards to human health or the environment associated with activities at the ceramics facility. Table 3 identifies:

- The main potential hazards;
- The likelihood of these hazards occurring;
- The conditions or events that could, or would, increase the likelihood of hazards occurring; and
- Pre-emptive actions.

The likelihood of hazards occurring has been reduced through the implementation of pre-emptive actions. Pre-emptive actions are undertaken to minimise or prevent any risk of harm to human health or the environment arising out of site activities. Pre-emptive actions listed in Table 3 are not exhaustive of all pre-emptive measures taken at the site.

Table 3 Main Hazards and Pre-Emptive Actions

Main Hazards	Likelihood of hazards occurring	Conditions or events that could increase the likelihood of the hazard occurring	Pre-emptive Actions
Emission of toxic vapours	Low	<ul style="list-style-type: none"> - Fire - Explosion - Spillage of product 	<ul style="list-style-type: none"> - Finished product segregated from empty pallet storage - Flammables segregated from structural elements - Equipment designed and maintained to standards - Building ventilation - Regular testing and maintenance of site equipment - Training of personnel operating machinery - Monitoring discharges to air as specified in EPL 11956 - Dust extractor installed - Air quality controls installed
Fire	Low	<ul style="list-style-type: none"> - Fuel or oil leak from vehicle or equipment damage - Vandalism - Gas leak or natural gas release at the furnace, dryer or shrink wrap unit - Equipment/process failure (shrink wrap fire, pallet fire) - Substation electrical fault 	<ul style="list-style-type: none"> - Control of ignition sources - Finished product segregated from empty pallet storage - Flammables segregated from structural elements - No combustibles stored in area - Good housekeeping. Keeping site clean - No smoking policy inside the factory - Regular maintenance of site equipment - Electrical installation follows Safety Management Plan

Main Hazards	Likelihood of hazards occurring	Conditions or events that could increase the likelihood of the hazard occurring	Pre-emptive Actions
			<ul style="list-style-type: none"> - Natural gas system has been designed and installed in accordance with Australian Standards, AGL requirements and HAZOP study outcomes
Oil/Fuel Spill	Low	<ul style="list-style-type: none"> - Poor maintenance of mobile equipment/transport leading to line breakage, drips and spills - Vehicle accident - Poor oil storage - Leak from transformers at substation - Rupturing of transformers - Fire 	<ul style="list-style-type: none"> - Regular testing and maintenance of site equipment - Pre-start checks on machinery - Bunding of oil storage drums - Oil storage isolated from combustibles - Substation transformers located in a contained area - Regular inspection of substation transformers - Vehicles are required to comply with the site speed limit (20 kph) to prevent incidents - Automatic guided vehicles have a laser guidance system to ensure safety of personnel. The system is continuously monitored for correct operation and routinely maintained
Gas leak/explosion	Low	<ul style="list-style-type: none"> - Natural Gas pipeline over or under pressure - Pipeline rupture - LPG tank rupture - Gas release into the furnace - Vandalism - Fire 	<ul style="list-style-type: none"> - Automatic cut-off if pipeline is over or under pressure - Pipeline is physically protected and its location marked - Natural Gas Manual Isolation Valve - Natural gas system has been designed and installed in accordance with Australian Standards, AGL requirements and HAZOP study outcomes - Equipment and storage tanks regularly inspected and maintained
Gas jet fire from natural gas release prior to the metering station	Low	<ul style="list-style-type: none"> - Poor equipment maintenance and installation - Damage to equipment 	<ul style="list-style-type: none"> - Natural gas system has been designed and installed in accordance with Australian Standards, AGL requirements and HAZOP study outcomes - The system pressure is reduced at the metering station adjacent to the site entry

Main Hazards	Likelihood of hazards occurring	Conditions or events that could increase the likelihood of the hazard occurring	Pre-emptive Actions
			<ul style="list-style-type: none"> - The system has automatic over pressure protection, pressure relief and a burner management system - Equipment operation and alarms will be regularly tested as part of the factory testing and inspection system. In particular the “gas shutoff on flame failure” and “no gas flow until furnace area is purged” safeguards have defined and rigorous testing frequencies and procedures
Kiln explosion	Low	<ul style="list-style-type: none"> - Equipment failure - Fire fighting water on furnace resulting in sudden temperature / pressure differential 	<ul style="list-style-type: none"> - Burner management system - Equipment designed to standards - Equipment maintained to standards – integrity testing - Dry powder extinguishers have been installed throughout the ceramics facility to provide effective fire fighting as required
Dust from product	Moderate	<ul style="list-style-type: none"> - Spillage of raw material - Dust release from failed bags in the dust extraction unit - Loading/unloading in adverse weather conditions - Poor loading/unloading practices - Vehicle accident 	<ul style="list-style-type: none"> - The site is maintained in a condition which minimises or prevents the emission of dust from the premises - Dust extraction systems installed. This system collects dust from distributed collection points throughout the process, and passes the dust/air stream through a bag house. Differential pressure alarms and opacity meters are installed on the bag units to indicate bag failure - Air quality controls installed - Loading and unloading occurs within the main building - No outside loading/unloading - Loose product is stockpiled inside the main building. No stockpiling outside - Yard is watered to reduce dust potential - All equipment used during the loading/unloading operation is thoroughly cleaned prior to its removal from site

Other general pre-emptive measures include:

- Site security: the site has CCTV monitoring 24 hours with 28 day recorded back-up, perimeter security fencing and 24 hours security arrangements to reduce risk of damage as a result of break-ins;
- Training: site inductions and training are undertaken so people understand appropriate work practices and appropriate actions to prevent hazards occurring. Exercises are periodically conducted to test emergency processes and to understand procedures; and
- Maintenance: effective systems of planned maintenance, inspection, testing and minor modifications are in place at NCIA to reduce associated risks to 'as low as reasonably practicable'. Regular plant and equipment maintenance activities ensure that the plant and equipment retain their standards. Safety critical equipment and procedures identified are maintained, inspected and tested rigorously. The regular plant and equipment maintenance activities are carried out according to the Maintenance Procedures.

Hard copies of the MSDSs for chemicals or fuels used or stored at the ceramics facility (including safety equipment) are located onsite.

Controls for the use, handling and storage of all hazardous substances at the site are specified in NCIA's Safety Management System. The Safety Management System specifies safety related procedures along with details of mechanisms for ensuring adherence to procedures. As such the Safety Management System is the controlling document for all operations on-site involving potentially hazardous activities.

7.0 Potential Pollutants

This section of the PIRMP provides an inventory of potential pollutants kept at the NCIA ceramics facility or used in carrying out activities at the site.

The list of potential pollutants likely to be stored or held; the maximum quantity likely to be stored or held; and the storage location is provided in Table 4.

Table 4 Inventory of Potential Pollutants

Potential Pollutant	Maximum Quantity	Storage Location
Natural Gas	160gJ/hr pipeline capacity	Natural Gas is supplied to the site via a pipeline to dryers, kiln and packaging areas The Natural Gas pipeline, and Natural Gas isolation and regulation area is located as shown in Appendix B, Figure 1
Diesel	5000 litres	Outdoor storage tank. Located as shown in Appendix B, Figure 1
Lubricating Oils	1600 litres	Located as shown in Appendix B, Figure 1

Figure 1 showing the storage locations of potential pollutants is provided at Appendix B.

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8.0 Safety Equipment

This section of the PIRMP provides a description of the safety equipment or other devices that are used to minimise the risks to human health or the environment and to contain or control a pollution incident.

A list of the safety equipment and the location where this equipment is stored is provided in Table 5. Additional product or activity-specific safety equipment may be required and is detailed in the site procedures.

Table 5 Safety Equipment

Description	Storage Location
PPE (as required and listed within the site procedures)	Each person maintains and stores own PPE
CPR mask and gloves	Office
Burns kit	Office
Defibrillator (AED – Automated External Defibrillator)	Changeover area (slip-test/shade room)
Fire hose reels and extinguishers NOTE: Due to the hazard of water/furnace contact (resulting in kiln sudden temperature / pressure differential and potential explosion / steam) it is not advisable to use water for fire fighting in the kiln area. Dry powder extinguishers have been installed throughout the ceramics facility to provide effective fire fighting as required.	Located as shown in Appendix B, Figure 1
Spill kits/bins	North Delivery Bay South Delivery Bay Clay preparation area Press area
Site first aid kit	Office Factory Clay preparation area Selection area
Automatic smoke detection (alarmed to brigade)	Control centre
Natural Gas isolation point	Located as shown in Appendix B, Figure 1
Electricity Isolation point	Located as shown in Appendix B, Figure 1

All emergency equipment is checked periodically in accordance with the Emergency Plan to ensure it is in place and operational.

Safety Critical Systems are checked in accordance with the Safety Management System. The maintenance programme includes the testing of all instruments trips and alarms.

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9.0 Staff Training

Training on the PIRMP will be provided to all personnel working at the ceramics facility (employees and contractors). The objective of the training is to inform all workers of the process to be followed in the event of a pollution incident, the notification protocol, and actions to be taken.

PIRMP training would initially occur as part of a toolbox talk.

All new employees and contractors working at the site would be briefed on the PIRMP as part of their induction and briefing on emergency procedures.

Ongoing training would be provided annually at formal training sessions. At the annual training sessions desktop scenarios would be discussed based on the likely risks and potential incidents that could occur at the site. Competency of trainees will be checked via a short-answer questionnaire to be completed at the end of training.

If a change is made to the PIRMP that impacts on the procedures to be followed in the event of a pollution incident, the update would initially be communicated as part of a toolbox talk.

Training records will be kept in the NCIA document control.

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10.0 Testing the Plan

To check that the PIRMP works effectively the PIRMP must be tested:

- a) Routinely at least once every 12 months; and
- b) Within one month of any pollution incident occurring.

The objective of testing is to assess whether the information included in the PIRMP is accurate and up to date and the PIRMP is capable of being implemented in a workable and effective manner.

The routine testing will be a desktop assessment. During the desktop assessment the PIRMP will be reviewed and all components of the plan will be checked:

- Contact details will be checked to ensure they are up-to-date;
- Procedures in the PIRMP will be checked to ensure they are workable, and
- Training competency and feedback will be considered to assess the effectiveness of PIRMP training.

Annual PIRMP testing would be recorded in NCIA's document control, including:

- The dates on which the plan has been tested; and
- The name of the person who carried out the test.

Following testing, if the PIRMP is updated, the dates on which the plan is updated will be recorded in NCIA document control.

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11.0 Plan Availability

11.1 Onsite PIRMP availability

A copy of this PIRMP must be kept at the site and is to be readily available to any person who is responsible for implementing the plan.

In accordance with the POEO Regulation, a copy of the PIRMP is to be made readily available to an authorised EPA officer on request.

11.2 Public availability

The PIRMP is to be made publicly available in a prominent position on the NCIA publicly accessible website within 14 days after it is prepared. The parts of the PIRMP that must be made publicly available are specified in 98D(3) of the POEO Regulation (which refers to parts of the POEO Act and the POEO Regulation). The parts of the PIRMP that must be made publicly available are listed in Table 6.

Table 6 PIRMP information to be publicly available

Information required	Section of this PIRMP which contains the information
POEO Act, section 153C(a)	
The procedures to be followed by the holder of the relevant environment protection licence, or the occupier of the relevant premises, in notifying a pollution incident to:	Section 4.0
(i) the owners or occupiers of premises in the vicinity of the premises to which the environment protection licence or the direction under section 153B relates, and	
(ii) the local authority for the area in which the premises to which the environment protection licence or the direction under section 153B relates are located and any area affected, or potentially affected, by the pollution, <i>[the local authority is Newcastle City Council. The area in which the site is located is described in Section 2.1]</i> , and	Section 3.0 and 4.0
(iii) Any persons or authorities required to be notified by Part 5.7 <i>[that is: the regulatory authorities; and commercial, industrial, and residential neighbours as directed by the EPA]</i> .	Section 3.0 and 4.0
POEO Regulation, clause 98C(1)	
(h) The contact details of each relevant authority referred to in section 148 of the Act:	Section 3.3
- the appropriate regulatory authority <i>[at the ceramics facility the EPA is the appropriate regulatory authority]</i> ,	
- if the EPA is not the appropriate regulatory authority - the EPA,	
- if the EPA is the appropriate regulatory authority - the local authority for the area in which the pollution incident occurs <i>[the local authority is Newcastle City Council]</i> ,	
- the Ministry of Health,	
- the WorkCover Authority, and	
- Fire and Rescue NSW.	
(i) details of the mechanisms for providing early warnings and regular updates to the owners and occupiers of premises in the vicinity of the premises to which the licence relates or where the scheduled activity is carried on	Section 4.2

Any personal information within the meaning of the Privacy and Personal Information Protection Act 1998 is not required to be included in the PIRMP that is made publicly available.

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Appendix A

PIRMP Legislative Checklist

Appendix A PIRMP Legislative Checklist

The legislative requirements of the PIRMP and where these requirements have been met in this document are shown in Table 7.

Table 7 Legislative Requirements of the PIRMP

Legislation	Requirement	Section in this PIRMP where requirement met
POEO Act: Part 5.7A Duty to prepare and implement pollution incident response management plans		
153A Duty of licence holder to prepare pollution incident response management plan	The holder of an environment protection licence must prepare a pollution incident response management plan that complies with this Part in relation to the activity to which the licence relates.	This PIRMP
153C Information to be included in plan	A pollution incident response management plan must be in the form required by the regulations and must include the following: <ul style="list-style-type: none"> a) The procedures to be followed by the holder of the relevant environment protection licence, or the occupier of the relevant premises, in notifying a pollution incident to: <ul style="list-style-type: none"> i) the owners or occupiers of premises in the vicinity of the premises to which the environment protection licence or the direction under section 153B relates, and ii) the local authority for the area in which the premises to which the environment protection licence or the direction under section 153B relates are located and any area affected, or potentially affected, by the pollution, and iii) any persons or authorities required to be notified by Part 5.7 	Section 3.0 and 4.0
	b) A detailed description of the action to be taken, immediately after a pollution incident, by the holder of the relevant environment protection licence, or the occupier of the relevant premises, to reduce or control any pollution.	Section 5.0
	c) The procedures to be followed for co-ordinating, with the authorities or persons that have been notified, any action taken in combating the pollution caused by the incident and, in particular, the persons through whom all communications are to be made.	Section 3.5, 4.2 and Table 1
153D Keeping of plan	A person who is required to prepare a pollution incident response management plan under this Part must ensure that it is kept at the premises to which the relevant environment protection licence relates, or where the relevant activity takes place, and is made available in accordance with the regulations.	Section 11.1
153E Testing of plan	A person who is required to prepare a pollution incident response management plan under this Part must ensure that it is tested in accordance with the regulations.	Section 10.0

Legislation	Requirement	Section in this PIRMP where requirement met
153F Implementation of plan	If a pollution incident occurs in the course of an activity so that material harm to the environment (within the meaning of section 147) is caused or threatened, the person carrying on the activity must immediately implement any pollution incident response management plan in relation to the activity required by this Part.	Section 1.2
Protection of the Environment Operations (General) Regulation 2009: Part 3A Pollution incident response management plans		
98B Form of plan	1) A plan is to be in written form.	This PIRMP
	2) A plan may form part of another document that is required to be prepared under or in accordance with any other law so long as the information required to be included in the plan is readily identifiable as such in that other document.	This PIRMP in conjunction with the Emergency Plan
98C Additional matters to be included in plan	1) General The matters required under section 153C (d) of the Act to be included in a plan are as follows:	Section 3.0
	a) a description of the hazards to human health or the environment associated with the activity to which the licence relates (the relevant activity),	
	b) the likelihood of any such hazards occurring, including details of any conditions or events that could, or would, increase that likelihood	Table 3
	c) details of the pre-emptive action to be taken to minimise or prevent any risk of harm to human health or the environment arising out of the relevant activity	Table 3
	d) an inventory of potential pollutants on the premises or used in carrying out the relevant activity	Table 4
	e) the maximum quantity of any pollutant that is likely to be stored or held at particular locations (including underground tanks) at or on the premises to which the licence relates	Table 4
	f) a description of the safety equipment or other devices that are used to minimise the risks to human health or the environment and to contain or control a pollution incident	Table 5
	g) the names, positions and 24-hour contact details of those key individuals who: i) are responsible for activating the plan, and ii) are authorised to notify relevant authorities under section 148 of the Act, and iii) are responsible for managing the response to a pollution incident	Table 1
	h) the contact details of each relevant authority referred to in section 148 of the Act	Section 3.3
	i) details of the mechanisms for providing early warnings and regular updates to the owners and occupiers of premises in the vicinity of the premises to which the licence relates or where the scheduled activity is carried on	Section 4.2

Legislation	Requirement	Section in this PIRMP where requirement met
	j) the arrangements for minimising the risk of harm to any persons who are on the premises or who are present where the scheduled activity is being carried on	Section 5.1
	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	Appendix B, Figure 1
	l) a detailed description of how any identified risk of harm to human health will be reduced, including (as a minimum) by means of early warnings, updates and the action to be taken during or immediately after a pollution incident to reduce that risk	Section 5.2
	m) the nature and objectives of any staff training program in relation to the plan	Section 9.0
	n) the dates on which the plan has been tested and the name of the person who carried out the test	Section 10.0
	o) the dates on which the plan is updated	Section 10.0
	p) the manner in which the plan is to be tested and maintained.	Section 10.0
	2) Trackable waste transporters	Not applicable. NCIA holds a Specific Waste Immobilisation Approval. A contractor holds the licence to transport the trackable waste
98D Availability of plan	1) A plan is to be made readily available: <ul style="list-style-type: none"> a) to an authorised officer on request, and b) at the premises to which the relevant licence relates, or where the relevant activity takes place, to any person who is responsible for implementing the plan. 	Section 11.1
	2) A plan is also to be made publicly available in the following manner within 14 days after it is prepared: <ul style="list-style-type: none"> a) In a prominent position on a publicly accessible website of the person who is required to prepare the plan, b) If the person does not have such a website—by providing a copy of the plan, without charge, to any person who makes a written request for a copy. 	Section 11.2
	3) Subclause (2) applies only in relation to that part of a plan that includes the information required under: <ul style="list-style-type: none"> a) section 153C (a) of the Act, and b) clause 98C (1)(h) and (i) or (2)(b) and (c) (as the case requires). 	Table 6

Legislation	Requirement	Section in this PIRMP where requirement met
	4) Any personal information within the meaning of the <i>Privacy and Personal Information Protection Act 1998</i> is not required to be included in a plan that is made available to any person other than a person referred to in subclause (1).	Section 11.2
98E Testing of plan	1) The testing of a plan is to be carried out in such a manner as to ensure that the information included in the plan is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.	Section 10.0
	2) Any such test is to be carried out: <ul style="list-style-type: none"> a) Routinely at least once every 12 months, and b) Within 1 month of any pollution incident occurring in the course of an activity to which the licence relates so as to assess, in the light of that incident, whether the information included in the plan is accurate and up to date and the plan is still capable of being implemented in a workable and effective manner. 	Section 10.0

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Appendix B

Figure 1



Appendix B Figure 1