

Pollution Incident Response Management Plan (PIRMP)

Central West Nutrient Return Centre (Forbes NSW)

May 2025 (Version 4)



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Record of Revision

Date	Version	Details of changes	Reviewed by	Approved by
April 2021	1	Original document	Eloise Clayton	Lana Nicholson
July 2022	2	Review – Updates Implemented <ul style="list-style-type: none"> • Major reformat • Information updated across all areas of PIRMP 	Eloise Clayton	Lana Nicholson
July 2024	3	<ul style="list-style-type: none"> • Review – Updates Implemented • Updated Emergency Evacuation Map 	Kylie Martin	Lana Nicholson
May 2025	4	<ul style="list-style-type: none"> • Review – Updates Implemented • Information updated across all areas of PIRMP • Updated Maps 	Eloise Clayton	Lana Nicholson

Record of PIRMP testing

Date Tested	Tested By (include names of all people involved in testing)	Details of Test (e.g. nature of the test, involvement of other agencies) <i>Note that testing must involve all components of the plan</i>	Findings of Test, Including Issues Identified	Next Scheduled Testing Date (must be within 12 months from current test)
02/02/2022	Kylie Martin (WHS Officer)	Desktop test/scenario discussed with workers (attendance list included in Emergency Drill Report). Scenario: Windrow Fire Observed	Additional training required for workers on where plans are located, what is within the plan, etc. Information within the plan was satisfactory.	02/02/2023
08/07/2022	Daniel Nicholson (Director)	Emergency Evacuation Drill Scheduled. Scenario: De-packaging shed fire (scheduled)	All workers understood procedures and requirements for an Emergency Evacuation.	08/07/2023
01/07/2023	Kylie Martin (WHS Officer)	Desktop test/scenario discussed with workers. Scenario: Windrow Fire Observed	Additional training required for workers and new staff on where plans are located, what is within the plan, etc. Information within the plan was satisfactory.	01/07/2024
01/07/2023	Daniel Nicholson (Director)	Emergency Evacuation Drill Scheduled. Scenario: De-packaging shed fire (scheduled)	All workers understood procedures and requirements for an Emergency Evacuation.	01/07/2024
02/07/2024	Kylie Martin (WHS Officer)	Desktop test/scenario discussed with new Site Supervisor & workers. Scenario: FOGO shed fire.	Ongoing training needs maintaining for workers and new staff on where plans are located and when changes are made & what is within the plan, etc.	02/07/2025
04/05/2025	Daniel Nicholson (Director)	Combined desktop and evacuation drill. Scenario: Machinery fire in composting area. Involved coordination with WHS officer and onsite fire equipment check.	Response times were satisfactory. Communication protocol improvements noted. Refresher training conducted on 20/05/2025.	15/05/2026

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1. Purpose

The purpose of this document is to detail the pollution incident response management plan for Topsoil Organics Pty Ltd to comply with Section 5.7A of the Protection of the Environment Operations (POEO) Act:

Protection of the Environment Operations Act 1997 No 156

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.

Maximum penalty:

- (a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or
- (b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.

153B EPA may direct other persons to prepare pollution incident response management plan

- (1) The EPA may, in accordance with the regulations, require the occupier of premises at which industry is carried out to prepare a pollution incident response management plan that complies with this Part in relation to activities at the premises.
- (2) A person must not fail to comply with such a requirement.

Maximum penalty:

- a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or
 - b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.
- (3) The regulations may make provision for or with respect to:
- (a) the class or classes of premises, or industries carried out at premises, that may be the subject of a requirement to prepare a pollution incident response management plan, and
 - (b) the circumstances in which some or all premises within those classes may be the subject of a requirement to prepare a pollution incident response management plan

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:

- (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:
 - (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,
- (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
- (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,
- (d) any other matter required by the regulations.

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. Maximum penalty:

- (a) in the case of a corporation—\$2,000,000 and, in the case of a continuing offence, a further penalty of \$240,000 for each day the offence continues, or
- (b) in the case of an individual—\$500,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues.

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. Maximum penalty:

- (a) in the case of a corporation—\$2,000,000 and, in the case of a continuing offence, a further penalty of \$240,000 for each day the offence continues, or
- (b) in the case of an individual—\$500,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues.

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.

Maximum penalty:

- (a) in the case of a corporation—\$2,000,000 and, in the case of a continuing offence, a further penalty of \$240,000 for each day the offence continues, or
- (b) in the case of an individual—\$500,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues.

2. Environment Protection Licence (EPL) details

Name of licensee: (including ABN)	Topsoil Organics Pty Ltd 192 Back Yamma Road Forbes NSW ABN: 67 610 563 918
EPL number*:	21509
EPL anniversary date:	11 May
Premises name and address:	Central West Nutrient Return Centre 192 Back Yamma Road Forbes NSW 2871
Website address:	topsoilorganics.com.au
Scheduled activity/activities on EPL:	Composting
Fee based activity/activities on EPL:	Composting Scale >5,000-50,000T annual capacity to receive organics

* Listed in the [EPA Public Register](#)

3. Scope

The scope of this management plan includes Pollution Incident Response Management Plan (PIRMP) for environmental pollution generated at the Central West Nutrient Return Centre.

4. Definitions

The POEO Act defines **pollution** as:

“Pollution means—water pollution, or air pollution, or noise pollution, or land pollution.”

The POEO Act defines a **pollution incident** as:

“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.”

The POEO Act (s. 147) defines **material harm to the environment** as:

“(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*

(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.”

The POEO Act defines **Loss** as:

- (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.*

Table 1: Requirements of the POEO (G) Regulation, relevant to a Pollution Incident Response Management Plan required to be prepared under Part 5.7A of the POEO Act and Part 3A of the General Regulation.

Requirement	Section in PIRMP
98B Form of plan	
(1) A plan is to be in written form.	Entire 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.	Section 7
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—	
(a) a description of the hazards to human health or the environment associated with the activity to which the licence relates (the relevant activity),	Section 5
(b) the likelihood of any such hazards occurring, including details of any conditions or events that could, or would, increase that likelihood,	Section 5
(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,	Section 5
(d) an inventory of potential pollutants on the premises or used in carrying out the relevant activity,	Section 6 Appendix B
(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,	Section 6 Appendix B
(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,	Section 7 Appendix D
(g) the names, positions and 24-hour contact details of those key individuals who—	
(i) are responsible for activating the plan, and	Section 8
(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	
(h) the contact details of each relevant authority referred to in section 148 of the Act,	Section 8
(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	Section 8

Requirement	Section in PIRMP
licence relates or where the scheduled activity is carried on,	
(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
(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 C
(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 Section 7
(m) the nature and objectives of any staff training program in relation to the plan,	Section 10
(n) the dates on which the plan has been tested and the name of the person who carried out the test,	Page 4
(o) the dates on which the plan is updated,	Page 3
(p) the manner in which the plan is to be tested and maintained.	Section 10
98D Availability of plan	
(1) A plan is to be made readily available—	
(a) to an authorised officer on request, and	Noted
(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

Requirement	Section in PIRMP
<p>(2) A plan is also to be made publicly available in the following manner within 14 days after it is prepared—</p> <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. 	Noted
98E Testing of plan	
<p>(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.</p>	Noted
<p>(2) Any such test is to be carried out—</p> <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 11

5. Hazards to health and the environment

To minimise risk to human health and the environment the site has an **Environmental Impact and Aspect Register** which includes pre-empted hazards, sources for those hazards, risk assessments and controls.

Main Hazards to Human Health or the Environment	Likelihood	Conditions or events that could increase the likelihood of the hazard occurring	Impacts to neighbouring sites	Pre-emptive Actions
Fire	Medium	<ul style="list-style-type: none"> - Poor housekeeping and maintenance - Fuel or oil leak from vehicle or equipment damage - Vandalism - Equipment/process failure (e.g. depackager fire) - Compost self-combustion 	Medium	<ul style="list-style-type: none"> - Control of ignition sources - Routine and periodic impact cleaning of site - No smoking policy onsite - Regular maintenance of site equipment - Fire detection and control systems - Turn windrows and monitor temperature
Oil/Fuel Spill	Medium	<ul style="list-style-type: none"> - Poor maintenance of mobile equipment/transport leading to line breakage, drips and spills - Vehicle accident - Poor oil storage - Diesel tank rupture/leak 	Low	<ul style="list-style-type: none"> - Regular testing and maintenance of site equipment - Pre-start checks on machinery - Bunding of diesel tanks and oil storage drums - Vehicles are required to comply with the site speed limit
Dust from compost	High	<ul style="list-style-type: none"> - Spillage of waste or products - Loading/unloading in adverse weather conditions - Poor loading/unloading practices - Vehicle accident 	Medium	<ul style="list-style-type: none"> - The site is maintained in a condition which minimises or prevents the emission of dust from the premises - All processing occurs inside buildings; only final composted products are stored outside - Air extraction system installed

					<ul style="list-style-type: none"> - Externally stored material is wet during dry weather - Sealed areas are regularly cleaned to reduce dust potential
Product or waste spillage	Low	-	Vehicle mechanical breakdown or accident	Low	<ul style="list-style-type: none"> - All waste and majority of products are tipped/loaded inside buildings - Composted products are loaded in bunded area - Vehicles are required to comply with the site speed limit - Maintenance and cleaning of vehicles and mobile plant
Chemical/pollutant release from waste	Medium	-	Inappropriate waste received at Facility	Low	<ul style="list-style-type: none"> - Only approved waste is received at the CWNRC Facility. - Waste is screened at delivery and initial processing. - Waste is processed in enclosed buildings with all air captured and treated.
Leak/spillage of contaminated stormwater or leachate	Low	-	<ul style="list-style-type: none"> - Tank or pump failure - Incorrect operation of water systems - Flooding 	Low	<ul style="list-style-type: none"> - SCADA sensors and alarms for water storage and pumping equipment (To be purchased and installed) - Design of water systems to minimise risk and provide redundancy. - Spare water storage capacity is maintained at all times - Spill kits are available on site - Whole site first flush system acts as a backup bund

6. Potential pollutants on the premises

6.1 Pollutant inventory

Refer to the Potential Pollutants Register (Appendix B) contained within the MSDS Folder: Labelling, use and storage of hazardous substances and dangerous goods.

6.2. Pollutant locations

Refer to the Potential Pollutants Register (Appendix B) contained within the MSDS Folder: Labelling, use and storage of hazardous substances and dangerous goods.

7. Incident response

In the event of a pollution incident that triggers the PIRMP (i.e. the pollution incident *causes or threatens to cause material harm to the environment*):

STOP

Activate the CWNRC Pollution Incident Response Plan

Immediately activate the Central West Nutrient Return Centre Incident Response Management Plan (Appendix D), also located within the Site Emergency Response Plan folder located in the front office, in vehicles and equipment, and in the de-packaging shed. An electronic copy of the Site Emergency Response Plan is also available on the Topsoil Organics Central West Nutrient Return Centre shared drive.

The alarm will be raised by alerting all personnel via the UHF Radio 26
“Emergency, Emergency, Emergency...”

7.1 Procedural implementation

The **Director** will be responsible for contacting the required authorities and relaying all necessary information back to persons at the incident location.

7.2 Mechanisms for early warning and updates for premises in the vicinity

7.2.1 Community (residential) notification

For incidents that require the assistance of emergency services, Topsoil Organics will consult with the incident controller (i.e. NSW Police Force, Fire and Rescue NSW) about whether community notification should be undertaken. The Director would be responsible for initiating residential communication, or alternatively, for delegating this responsibility (e.g. to the site Compliance Officer or similar) depending on the urgency of the situation.

Topsoil Organics holds a register of contact details for nearby residents. Depending on the nature of community notification that may be required, Topsoil Organics may contact Forbes Shire Council for assistance (e.g. to conduct a letterbox drop for affected residents). Note that for incidents that do involve and/or affect landowners/nearby residents, face to face communications may be appropriate, depending on the situation.

7.2.2 Other premises notification

The primary neighbouring landowners and/or occupiers are Forbes Central West Livestock Exchange.

The Director would be responsible for initiating residential communication, or alternatively, for delegating this responsibility (e.g. to the site Environmental Manager or similar) depending on the urgency of the situation. Communication would be via phone and/or email as appropriate. Relevant contact details are included in Section 7.4.

8. Notification and reporting

8.1 What needs to be notified?

Under s. 148 of the POEO Act, Topsoil Organics has a duty to **immediately** notify (i.e. via phone) each relevant authority of a **pollution incident** if there is a risk of **material harm to the environment** (see **Section 2** for definitions).

According to the provisions of s. 150 of the POEO Act:

- (1) *The relevant information about a pollution incident required under section 148 consists of the following—*
 - (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),*
 - (e) *the action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known,*
 - (f) *other information prescribed by the regulations.*
- (2) *The information required by this section is the information known to the person notifying the incident when the notification is required to be given.*
- (3) *If the information required to be included in a notice of a pollution incident by subsection (1) (c), (d) or (e) is not known to that person when the initial notification is made but becomes known afterwards, that information must be notified in accordance with section 148 immediately after it becomes known.*

The director would be responsible for fulfilling immediate notification requirements.

8.2 Immediate internal reporting

Contact information for liaising managers and site contacts are located in the Central West Nutrient Return Centre Incident Response Management Plan (Appendix D)

Contact details are also displayed as posters at various locations on site, to improve accessibility during an emergency situation.

Contact details for the Owners and Occupiers (Residents and Caretakers) are as follows:

Owners	Topsoil Organics (Daniel Nicholson)	0427 478 103
Occupiers	Lana Nicholson (Environmental Manager)	0423 868 209

If they have not already been otherwise alerted, an Occupier must be contacted immediately following a pollution incident.

8.3 Immediate external reporting

Under the provisions of cl. 101 of the POEO (G) Regulation:

(4) *For the purposes of section 149 of the Act, a pollution incident that is required to be notified under section 148 of the Act—*

(a) is to be notified verbally to each relevant authority, and

(b) is to be followed by notification in writing within 7 days of the date on which the incident occurred.

(5) *For the purposes of section 149 of the Act, notification of the EPA may be achieved by telephoning the EPA environment line.*

Note. *Section 150(2) of the Act provides that the information contained in a notification is to be the information known when the notification occurs. Therefore, if information becomes known between the immediate notification given verbally and the time when written notification is required to be given, that new information will be required to be notified immediately after it becomes known and to be included in the written notification.*

Pollution incidents must be **notified via phone immediately** in the order listed below:

Environment Protection Authority (EPA)+ 'Environment Line'	131 555
NSW Resources Regulator	1300 814 609
Ministry of Health (Western NSW Health District)	6809 8600
SafeWork NSW	13 10 50
Forbes Shire Council (the Local Authority)	6850 2300
Fire and Rescue NSW*	1300 729 579

+ The Appropriate Regulatory Authority (ARA) for the Topsoil Organics Central West Nutrient Return Centre is the EPA.

* Note that if the pollution incident required immediate assistance from emergency services (i.e. 000 was called), Fire and Rescue (NSW) do not need to be called again.

Immediate notification of premises in the vicinity may also be required – see **Section 7.5** for information and **Section 7.4** for contact details.

8.4 Contact details for premises in the vicinity

COMPANY NAME	ADDRESS	CONTACT NAME	CONTACT NUMBER
Forbes Central West Livestock Exchange	Back Yamma Road, Daroobalgie NSW	Cassie Walmsley	02 6853 3194
Southern Cross Nutrients	Walker Drive, Daroobalgie NSW	Mark Pobje	0499 849 999

8.5 Within 7 days – written reporting

The verbal notification must be followed by a **written notification** within 7 days of the date on which the incident occurred. This written notification must contain all of the information required under s. 150 of the POEO Act.

Topsoil Organics also has written notification requirements under the provisions of Project EPL-21509; these requirements are summarised below. Reference the listed regulatory condition for further information about the structure and content that must be included in the written notification.

Notification trigger	Party to be notified	Time period	Regulatory condition
Environmental harm	EPA	Within 7 days of the date on which the incident occurred	EPL- 21509 <i>licence condition R2.2</i>

Written notification requirements are the responsibility of the site **Environmental Manager** or alternate delegate if required.

9. Record and review

Following a pollution incident, an investigation will take place including the involvement and review of findings by all relevant parties, including any necessary outside parties.

The incident will be recorded using the Safety Management System, SiteDocs, by creating an environmental incident report. This may also be accompanied by a written investigation report, which can be uploaded to SiteDocs as an attachment.

The PIRMP must then be reviewed within 1 month of the date of the incident (see **Section 10.2**).

10. Staff training

All personnel are trained to respond to emergency scenarios, including pollution incidents. Training is in the form of an annual emergency drill, which may include both safety and environmental components. These drills are designed to ensure that all workers are adequately prepared to respond to pollution incidents. To record staff training in emergency procedures, the Site Emergency Drill Report and a Training Attendance Record are completed for each emergency drill. The completed forms are uploaded to the Safety Management System, SiteDocs, as an attachment.

All workers are also required to complete a training module on environmental principles as part of their Topsoil Organics employment induction.

11. PIRMP maintenance

11.1 Availability of the PIRMP

The PIRMP is available in printed form at the premises – it is co-located with the site Emergency Plan. This is because the Emergency Plan contains procedures for responding to specific incidents, including pollution incidents. An electronic copy of the PIRMP is also available on the Topsoil Organics Central Nutrient Return Centre shared drive.

An amended version of the PIRMP – with permissible information redacted – is publicly available on the company website. It must also be made available at the request of an authorised EPA officer, response agencies during an incident, and members of the public on request.

11.2 Testing of the PIRMP

It is a legal requirement to test the PIRMP **every 12 months**. Two forms of PIRMP testing are used to meet this requirement:

- Desktop simulation – annual desktop simulation completed by a competent person.
- Emergency drill – annual mock emergency or emergency drill, involving all workers. The emergency drill typically has both safety and environmental components, although may instead consist of two separate emergency drills to test these components.

Testing will include all components of the PIRMP, including training requirements. The Site Emergency Drill Report is used to record the details of all PIRMP tests, and the completed forms are uploaded as an attachment to the Safety Management System SiteDocs.

It is also a legal requirement that the PIRMP be tested **within 1 month of any pollution incident**.

12. References

12.1 Topsoil Organics documentation

Management System

- This contains policies, work methods, forms and checklists.
- It covers an overview of emergency process control.
- This is stored on a central shared drive and backed up through a cloud based storage system.

Site Emergency Plan:

- This contains actions required to deal with minor potential safety and environmental incidents. It outlines site emergency teams and site maps.
- An annual emergency drill is carried out to assess the emergency plan.
- Hard copies are available on site.

EMP – Environmental Management Plan:

- This is document detailing the overall environmental management of site.
- It includes an impact and aspect register. The register documents environmental risks and how these are eliminated/controlled on site.

12.2 External references

- NSW EPA September 2013, *Environment Compliance Report: Requirements for preparing and implementing Pollution Incident Response Management Plans*
- The Guideline: Pollution Incident Response Management Plans (PIRMP Guideline) 2020
- NSW EPA March 2020, *Guideline: Pollution Incident Response Management Plans*
- NSW EPA, *Environment Protection Licence 21509*
- *Protection of the Environment Operations Act 1997* (NSW), (Section 153A)
- *Protection of the Environment Operations Act 1997* (NSW) (section 153C)
- *Protection of the Environment Operations Act 1997* (NSW) (section 153D)
- *Protection of the Environment Operations (General) Regulation 2009* (NSW)
- *General Regulation (clause 98C)*

Appendices

Appendix A – Relevant requirements of POEO Act Part 5.7A

Table A-1: Relevant requirements of the POEO Act Part 5.7A Duty to prepare and implement pollution incident response management plans.

Requirement	Section in PIRMP
<p>153A Duty of licence holder to prepare pollution incident response management plan</p> <p>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.</p> <p>Maximum penalty—</p> <p>(a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or</p> <p>(b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.</p> <p>Note. An offence against this section committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 169A.</p>	Noted
<p>153C Information to be included in plan</p> <p>A pollution incident response management plan must be in the form required by the regulations and must include the following—</p> <p>(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—</p> <p style="padding-left: 20px;">(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</p> <p style="padding-left: 20px;">(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</p> <p style="padding-left: 20px;">(iii) any persons or authorities required to be notified by Part 5.7,</p> <p>(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,</p> <p>(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</p>	<p>Entire PIRMP</p> <p>Section 8</p> <p>Section 7</p> <p>Section 7</p>

Requirement	Section in PIRMP
particular, the persons through whom all communications are to be made,	
(d) any other matter required by the regulations.	Section 2
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 1
Maximum penalty—	
(a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or	
(b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.	
Note. An offence against this section committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 169A.	
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 1
Maximum penalty—	
(a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or	
(b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.	
Note. An offence against this section committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 169A.	
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 Section 7
Maximum penalty—	

Requirement**Section in
PIRMP**

(a) in the case of a corporation—\$2,000,000 and, in the case of a continuing offence, a further penalty of \$240,000 for each day the offence continues, or

(b) in the case of an individual—\$500,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues.

Note. An offence against this section committed by a corporation is an executive liability offence attracting executive liability for a director or other person involved in the management of the corporation—see section 169A.

Appendix B – Hazardous Chemicals List

Project: Topsoil Organics		Site Location: 192 Back Yamma Road Forbes NSW 2871			
Work commenced on (date):	NA	Work due for completion on (date):	NA		
PRODUCT NAME	LOCATION	QUANTITY	PRODUCT LABELLED?	MSDS	CLASSIFIED AS HAZARDOUS IN THE MSDS?
			YES / NO	YES / NO	YES / NO
Diesel Fuel	Delivery Vehicle	LITRES	Yes	Yes	Yes
Petrol	Site Shed	10 Litres	Red Plastic Con	Yes	Yes
Castrol Premium HD grease	Site Shed	450g x 20	Yes	Yes	No
Diggers degreaser	Site Shed	5 litres	Yes	Yes	Yes
WD-40	Site Shed	375 ml cans	Yes	Yes	Yes
Green Lube EP2 grease	Site Shed	450g x 20	Yes	Yes	Yes
Havoline 10W-30	Site Shed	5 Litres	Yes	Yes	No
Valvoline Ultramax 46	Site Shed	20 litres	Yes	Yes	No
Valvoline Valplex EP grease	Site Shed	450g x 20	Yes	Yes	No
Dewatered Sewage Sludge (Biosolids)	Hardstand Compost area	Truck loads	Yes	Yes	No

Appendix C – Site Maps



		Existing Site Layout		Top Soil Organics Forbes Composting EIS 192 Back Yamma Road		Figure:
						5
DRAWN BY: AdelehKhoshzaban DATE DRAWN: 11.07.2024		DATA SOURCE: (2)AK / PIGA as per SS 01/02/2023		<small> WEDGETAIL: The information included in this graphic representation has been compiled from a variety of sources and is subject to change without notice. Wedgetail Project Consulting is not responsible for any errors, omissions, or inaccuracies in this information, and its use is at the user's discretion. This document is not intended to be used as a final design product nor is it designed or intended as a construction design document. The use or misuse of the information contained in this graphic representation is at the sole risk of the party relying on the information. </small>		



	Topsail Site Boundary
	Primary Road
	Sub-Arterial Road
	Local Road

Site Location

100 200 300 400 m

DRAWN BY: Adeleh Khoshzaban
DATE DRAWN: 11.07.2024

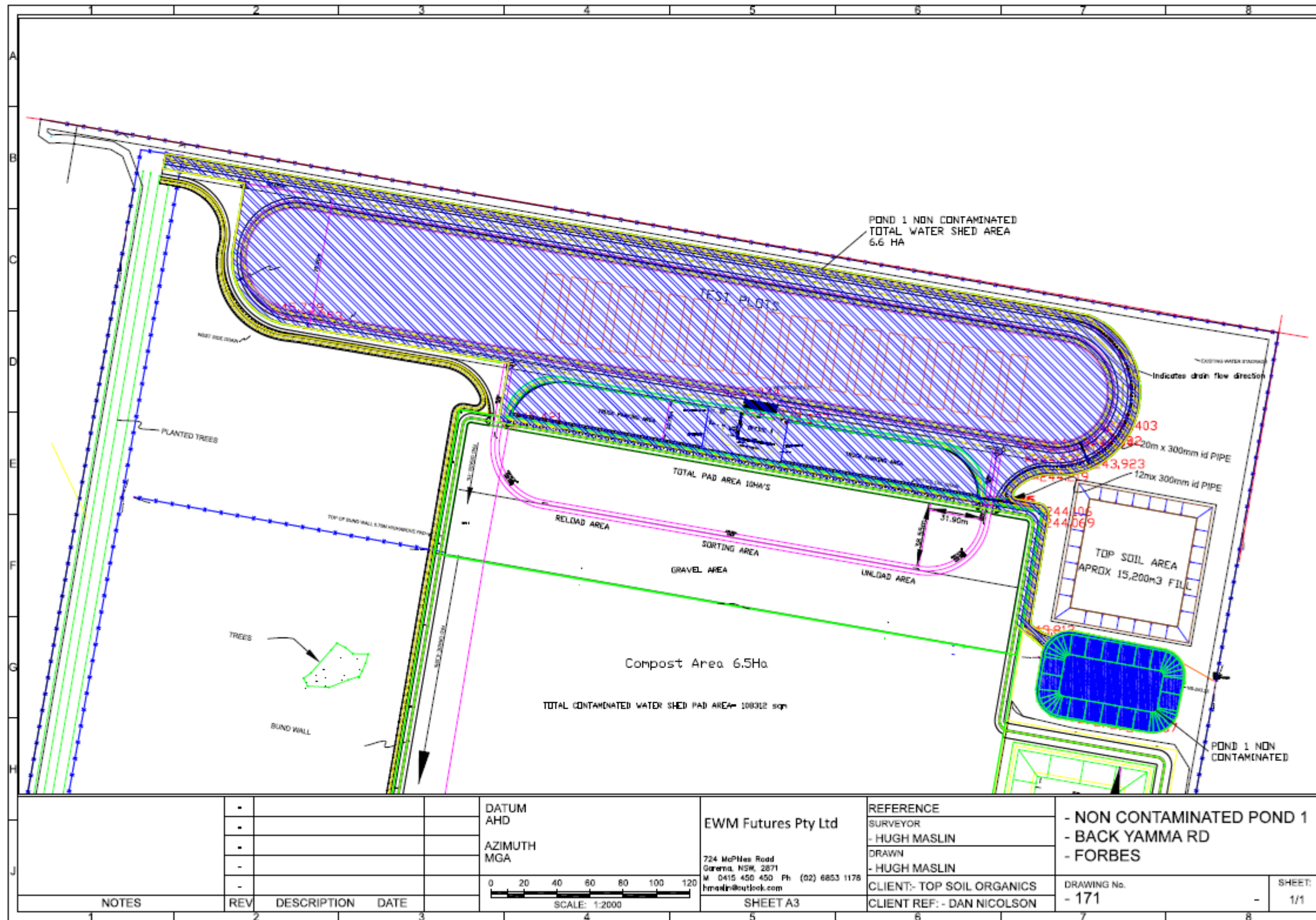
DATA SOURCE:
GDM / HGA zone 55
EPSG 31472

Top Soil Organics
Forbes Composting EIS
192 Back Yamma Road

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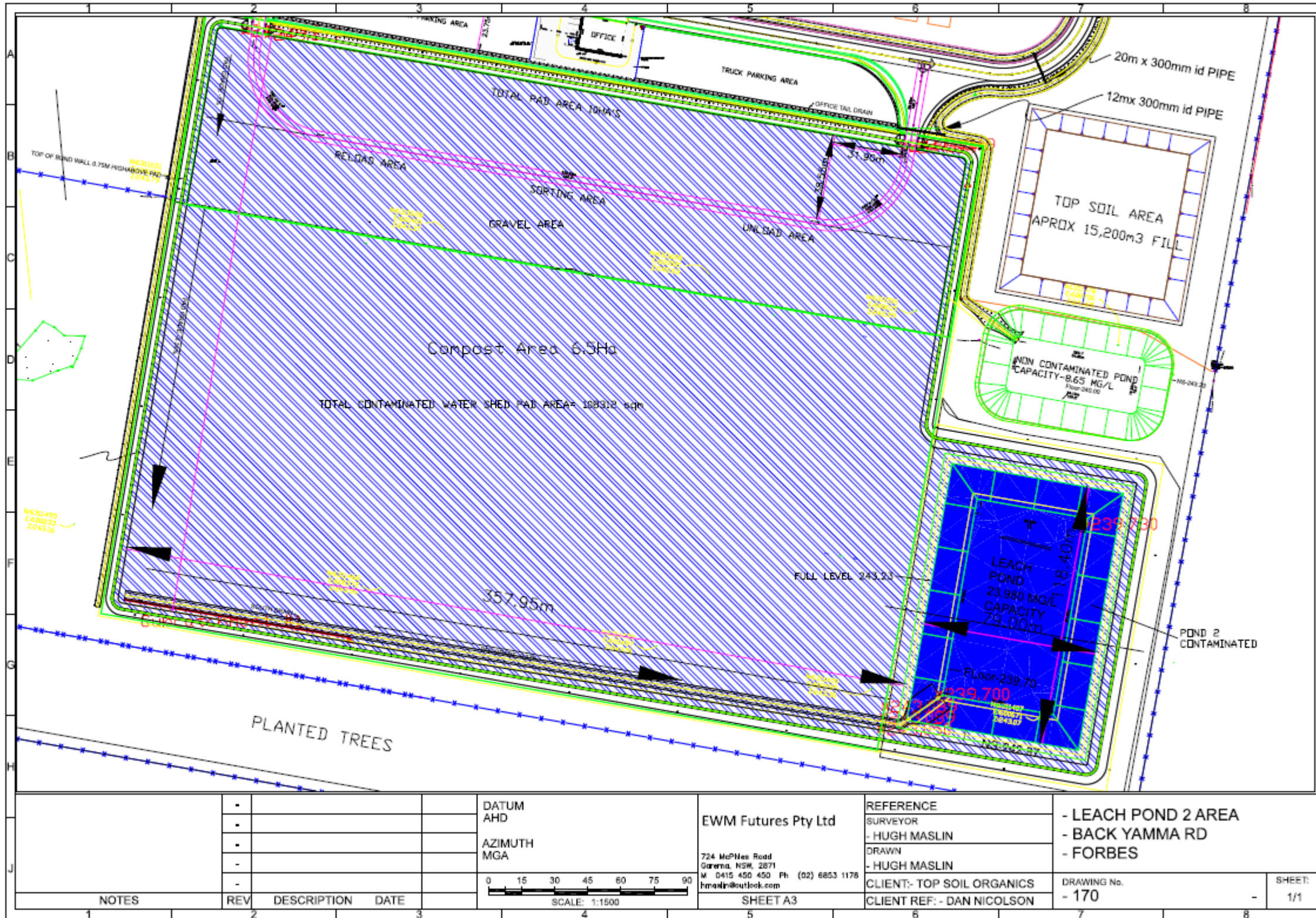
Figure:
1

Figure 4 – Drainage Outside Pad Spills



NOTES	-			DATUM AHD	EWM Futures Pty Ltd 724 McPhee Road Garema, NSW, 2871 M: 0415 450 450 Ph: (02) 6853 1178 hmaslin@outlook.com	REFERENCE	- NON CONTAMINATED POND 1 - BACK YAMMA RD - FORBES	DRAWING No. - 171	SHEET: 1/1
	-			AZIMUTH MGA		SURVEYOR - HUGH MASLIN			
	-					DRAWN - HUGH MASLIN			
	-					CLIENT:- TOP SOIL ORGANICS			
	-					CLIENT REF:- DAN NICOLSON			

Figure 5 – Drainage Inside Pad Spills



NOTES	•			DATUM AHD	EWM Futures Pty Ltd 724 McPhee Road Garema, NSW, 2871 M 0415 450 450 Ph (02) 6853 1178 hmaslin@outlook.com	REFERENCE	- LEACH POND 2 AREA - BACK YAMMA RD - FORBES
	•			AZIMUTH MGA		SURVEYOR - HUGH MASLIN	
	•					DRAWN - HUGH MASLIN	
	•					CLIENT:- TOP SOIL ORGANICS	DRAWING No. - 170
	•					CLIENT REF: - DAN NICOLSON	SHEET: - 1/1



Appendix D – Incident Response Management Plan