



Environment Protection Authority

Guideline: Pollution Incident Response Management Plans

Helping environment protection licence holders comply with their
PIRMP obligations



© 2022 State of NSW and the NSW Environment Protection Authority

With the exception of photographs, the State of NSW and the NSW Environment Protection Authority (EPA) are pleased to allow this material to be reproduced in whole or in part for educational and non-commercial use, provided the meaning is unchanged and its source, publisher and authorship are acknowledged. Specific permission is required for the reproduction of photographs.

The EPA has compiled this guideline in good faith, exercising all due care and attention. No representation is made about the accuracy, completeness or suitability of the information in this publication for any particular purpose. The EPA shall not be liable for any damage which may occur to any person or organisation taking action or not on the basis of this publication. Readers should seek appropriate advice when applying the information to their specific needs. This document may be subject to revision without notice and readers should ensure they are using the latest version.

Every effort has been made to ensure that the information in this document is accurate at the time of publication. However, as appropriate, readers should obtain independent advice before making any decision based on this information.

The EPA shall not be liable for any damage which may occur to any person or organisation taking action or not on the basis of this publication.

All content in this publication is owned by the EPA and is protected by Crown Copyright, unless credited otherwise. It is licensed under the Creative Commons Attribution 4.0 [International](#) (CC BY 4.0), subject to the exemptions contained in the licence. The legal code for the licence is available at [Creative Commons](#).

The EPA asserts the right to be attributed as author of the original material in the following manner: © State of New South Wales and the NSW Environment Protection Authority 2022.

All photos in this guideline are the property of the EPA.

Published by:

NSW Environment Protection Authority

4 Parramatta Square

12 Darcy Street, Parramatta NSW 2150

Locked Bag 5022, Parramatta NSW 2124

Phone: +61 2 9995 5000 (switchboard)

Phone: 131 555 (NSW only – environment information and publications requests)

Fax: +61 2 9995 5999

TTY users: phone 133 677, then ask
for 131 555

Speak and listen users:

phone 1300 555 727, then ask for 131 555

Email: info@epa.nsw.gov.au

Website: www.epa.nsw.gov.au

Report pollution and environmental incidents

Environment Line: 131 555 (NSW only) or info@epa.nsw.gov.au

See also www.epa.nsw.gov.au

ISBN 978 1 02278 49 9

EPA 2022P3985

September 2022

Contents

1. Introduction	1
1.1. What is a pollution incident response management plan?	1
1.2. About this guideline	1
1.3. Where are the legislative requirements set out?	1
1.4. What is pollution?	2
1.5. What is a pollution incident and when is notification required?	3
2. PIRMP requirements in detail	4
2.1. Form the PIRMP must take	4
2.2. Requirements for all licence holders	5
2.2.1. Implementing the PIRMP	5
2.2.2. Making the PIRMP publicly available	5
2.2.3. Testing the PIRMP	6
2.3. Specific requirements for premises-based and mobile plant licences	7
2.3.1. Description and likelihood of hazards	8
2.3.2. Pre-emptive actions	10
2.3.3. Inventory of pollutants	12
2.3.4. Safety equipment	12
2.3.5. Contact details	13
2.3.6. Communicating with neighbours and the community	14
2.3.7. Minimising harm to people on the premises	16
2.3.8. Maps	16
2.3.9. Actions to be taken during or immediately after a pollution incident	20
2.3.10. Staff training	21
2.3.11. Testing and updating the PIRMP	21
2.3.12. Information for mobile plant licences	22
2.4. Specific requirements for trackable waste transport licences	22
2.4.1. Contact details	23
2.4.2. Communicating with the community	23
2.4.3. Actions to be taken	24
2.4.4. Staff training	25
2.4.5. Testing the PIRMP	26
2.5. Demonstrating compliance with PIRMP requirements	26
2.6. Reporting on compliance with PIRMP requirements	26
2.7. Penalties for non-compliance with PIRMP requirements	27
2.8. Dictionary	27
Appendix A: Example maps for complex facilities	29

The EPA has prepared this guideline to assist holders of an environment protection licence to comply with their pollution incident response management plan (PIRMP) obligations.

It sets out the requirements for preparing, keeping, testing and implementing PIRMPs under the *Protection of the Environment Operations Act 1997*.

It highlights some of the common issues the EPA has found, and ways licence holders can address them.

1. Introduction

1.1. What is a pollution incident response management plan?

Pollution incident response management plans (PIRMPs) are plans all holders of environment protection licences¹ (licensees) are required to prepare in accordance with section 153A of the Protection of the Environment Operations Act 1997 (POEO Act). By preparing and implementing a PIRMP that meets the requirements specified under the legislation, licensees will:

- minimise the risk of a pollution incident occurring as a result of their licensed activities, as they would have identified risks and the actions they propose to take to minimise and manage those risks
- have established clear and effective notification, action and communication procedures to ensure the right people are notified, warned and quickly provided with updates and information they may need to act appropriately, including:
 - people who may need to be involved in incident responses – including staff at the premises; the Environment Protection Authority (EPA); and other relevant authorities (such as Fire and Rescue NSW, NSW Health and local councils)
 - industrial, commercial and residential neighbours and other members of the community
- have properly trained staff and up-to-date incident management information available to ensure the potential impact of a pollution incident is minimised.

All new licensees must prepare a PIRMP before commencing operations.

1.2. About this guideline

This guideline sets out the PIRMP requirements under the POEO Act and Protection of the Environment Operations (General) Regulation 2022 (the General Regulation). It is designed to help licensees (or other persons required to prepare a PIRMP) understand and meet their obligations under the legislation.

The guideline outlines the requirements under the POEO Act and General Regulation that **must** be met. In Sections 1 and 2, blue boxes contain extracts of the legislative requirements from the POEO Act and the General Regulation, and grey boxes provide a plain English summary of these legal obligations. Licensees must comply with the requirements in these boxes.

Further detail is given to help licensees comply with their obligations, with particular focus on those areas where the EPA has identified ongoing compliance issues. When providing further detail, the term 'must' is used when referring to a legal requirement. Other actions are those recommended by the EPA.

While the guideline is designed to help licensees prepare their PIRMPs, licensees should still familiarise themselves with their obligations under the POEO Act and the General Regulation and ensure they are complying with them.

1.3. Where are the legislative requirements set out?

Part 5.7A of the POEO Act requires **all licensees** to prepare, keep, test and implement a PIRMP. Chapter 4 of the General Regulation sets out the specific information a licensee must include in their PIRMP. In summary, the requirements are:

¹ Under section 153B of the POEO Act the EPA may direct the occupier of a premises at which industry is carried out, but where an environment protection licence is not required, to prepare a PIRMP.

- All licensees must prepare a PIRMP (section 153A).
- A PIRMP must be in the form required by the regulations and must include the information detailed in the POEO Act (section 153C) and the General Regulation (section 72 and section 73).
- Licensees must keep the PIRMP at the premises the environment protection licence relates to, or where the relevant activity takes place (in the case of trackable waste transporters and mobile plant) (section 153D of the POEO Act) and make certain parts of the PIRMP available on a publicly accessible website of the licensee, or alternatively provide a copy upon written request (section 74 of the General Regulation).
- Licensees must test their PIRMP in accordance with the regulations (section 153E of the POEO Act and section 75 of the General Regulation).
- Licensees must implement their PIRMP immediately if a pollution incident occurs that causes or threatens material harm to the environment (as defined in section 147 of the POEO Act) (section 153F of the POEO Act).

There are **offences** for licensees if they fail to comply with any of the requirements listed above.

The **penalties** associated with these offences are set out in Section 2.7 of the guideline.

1.4. What is pollution?

This section and the next discuss the terms ‘pollution’ and ‘pollution incident’ to help licensees think more broadly when undertaking risk assessments. The blue shaded boxes contain extracts from specific sections of the Act.

Box 1.1: What is pollution?

The dictionary of the POEO Act defines pollution as either ‘water pollution’, ‘air pollution’, ‘noise pollution’ or ‘land pollution’. It goes on to provide definitions for each of these types of pollution.

Dictionary of the POEO Act

When developing, testing and activating their PIRMPs, licensees need a good understanding of:

- substances they store, use and/or generate on/at their premises
- substances they release onto or from their premises
- potential risks the release of those substances might have, especially from any accidental or uncontrolled release.

Almost any substance can be a pollutant and cause or contribute to a pollution incident if released in a way and location that has the potential to harm human health and the environment. Some pollutants are obvious (e.g. untreated effluent released into a local waterway), while others are less well known (e.g. a large volume of milk spilt into a local creek can result in dissolved oxygen being depleted, killing aquatic life).

1.5. What is a pollution incident and when is notification required?

Box 1.2: What is a pollution incident?

'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.'

Dictionary of the POEO Act

Box 1.3: When does notification need to be given of a pollution incident?

Notification is required if a pollution incident causes or threatens to cause 'material harm to the environment'. Material harm is defined in section 147 of the POEO Act as:

'(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.'

Notification is required even where 'harm to the environment is caused only in the premises where the pollution incident occurs', as specified in section 147(2).

Section 148 of the POEO Act sets out additional pollution incident notification requirements.

The POEO Act requires licensees to:

- implement their PIRMP if, in the course of an activity, a pollution incident occurs that causes or threatens to cause material harm (as defined in Box 1.3)
- notify any 'material harm' pollution incidents, in accordance with the requirements set out in the Act.

Part 5.7 of the POEO Act specifies when and how a person should notify each relevant authority about a pollution incident, and who is responsible for the notification. It prescribes what relevant information must be given.

In summary, the licensee (or another person) is required to report a pollution incident **immediately** to:

- the EPA
- the Ministry of Health (via the appropriate Local Health District Public Health Unit)
- Fire and Rescue NSW
- SafeWork NSW
- the relevant local council.

The dictionary meaning of **immediately** is promptly and without delay. This allows response agencies to know as soon as a pollution incident is identified, so it can be dealt with quickly. The EPA's [Protocol for industry notification of pollution incidents](#) provides more details about this.

It is an offence not to comply with the notification requirements of Part 5.7 of the POEO Act. The maximum penalties for this offence are:

- for corporations
 - \$2,000,000
 - and for continuing offences a further penalty of \$240,000 per day the offence continues
- for individuals
 - \$500,000
 - and for continuing offences a further penalty of \$120,000 per day the offence continues.

PIRMPs **must** include a section detailing these notification procedures, including contact information for every agency the licensee will notify, and the details of the people responsible for making those notifications. This ensures the licensee is ready if a pollution incident occurs.

A properly prepared, tested and up-to-date PIRMP is an important tool for licensees to be prepared should a pollution incident occur. The following sections of this Guideline go through the PIRMP-related obligations in detail.

Licensees should note that if the incident presents an immediate threat to human health or property, they should call 000. 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.

2. PIRMP requirements in detail

2.1. Form the PIRMP must take

The PIRMP **must** be:

- in written form
- available at the premises so it can be provided to an authorised EPA officer on request.

The PIRMP may form part of another document required under different legislation, as long as the information required for the PIRMP is readily identifiable in that other document.

[refer to section 71(a) and 74(1) of the General Regulation]

As the PIRMP must be implemented immediately if a pollution incident occurs, an up-to-date copy of the PIRMP must be kept in a readily accessible place on the premises or where the activity takes place (e.g. for waste transporters, this would be somewhere on the vehicle). Safeguards need to be put in place to ensure the PIRMP is readily accessible in the case of power failure or internet outage. The EPA recommends that a hard copy of the PIRMP be maintained at the licensed premises or where the activity takes place.

A PIRMP may form part of another document prepared in accordance with other legislation, such as the Work Health and Safety Regulation 2017, conditions of consent issued under the *Environmental Planning and Assessment Act 1979*, or other regulatory instruments. Such plans may be known as an emergency response plan, an emergency plan, or an incident response plan. For transporters of trackable waste with a dangerous goods classification, the PIRMP may form part of their transport emergency response plan. If the PIRMP forms part of another document, it must meet **all** the requirements under Part 5.7A of the POEO Act and Chapter 4 of the General Regulation.

The PIRMP may be an index document detailing the other plans that meet the requirements of the PIRMP. If the information required for a licensee's PIRMP is located within another document, the exact location of that information needs to be clearly referenced in the PIRMP. For example: 'the site evacuation plan is in Chapter X – Site Evacuation Procedure, Sub section x(x) – Site evacuation plan, on page xx of Emergency Response Plan'.

The PIRMP must include:

- the procedures to be followed by the licensee to notify people on the premises, people within the vicinity of the premises, the local authority for the area and all other relevant authorities as required under the legislation in the event of a pollution incident
- detailed descriptions of the actions to be taken by the licensee immediately after the pollution incident to reduce or control any pollution
- the procedures to be followed to coordinate, along with authorities and other notified persons, the actions to be taken to address the pollution caused by the incident
- the persons who will be responsible for all communications in the event of a pollution incident.

[refer to section 153C of the POEO Act]

The PIRMP must address other requirements set out in the General Regulation. These are detailed below, including specific requirements for holders of licences for premises-based and mobile plant (Section 2.3) and trackable waste transport (Section 2.4).

2.2. Requirements for all licence holders

2.2.1. Implementing the PIRMP

If a pollution incident occurs at the premises so material harm to the environment (within the meaning of section 147 of the POEO Act) is caused or threatened, the person carrying on the activity **must** immediately implement any PIRMP that was developed to meet the requirements of the POEO Act.

[refer to section 153F of the POEO Act]

It is an offence not to implement (activate) a PIRMP if a pollution incident occurs that causes or threatens to cause material harm. Penalties for not implementing the PIRMP are set out in Section 2.7 of this Guideline.

2.2.2. Making the PIRMP publicly available

A copy of the full PIRMP must be maintained at the premises to which the licence relates, or where the relevant activity takes place, so it is readily available to the person/s responsible for implementing the PIRMP and to an authorised officer on request.

Parts of the PIRMP must be made publicly available within 14 days after it has been prepared by:

- placing the PIRMP in a prominent position on a publicly accessible website of the licensee
- or if the licensee does not have a website, by providing a copy of the PIRMP, without charge, to any person who makes a written request for one.

[refer to section 153D of the POEO Act and section 74(1) and 74(2) of the General Regulation]

The PIRMP should be available in a prominent place at the premises or the place where the activity takes place (for mobile plant and waste transport licences) to allow for easy access should a pollution incident occur. A copy must be accessible at all times including in the event of power or internet failure. For mobile plant and waste transporters a copy of the PIRMP must be available where the activity takes place, i.e. at the location of the mobile plant or on the vehicle transporting waste.

A publicly accessible website includes one established to promote the licensee's activities or products, or one the public associates with the premises and/or activity.

Personal information as defined in the *Privacy and Personal Information Protection Act 1998* is not to be made publicly available.

The following information must be made publicly available:

- procedures for contacting the relevant authorities including the EPA, the local council, NSW Health, SafeWork NSW, Fire and Rescue NSW and their contact details
- procedures for contacting the owners or occupiers of premises in the vicinity
- the procedures for communicating with the community
- mechanisms for providing early warnings and regular updates to premises in the vicinity
- for trackable waste transport licensees – the community engagement protocol for notifying people living or working within the vicinity of a pollution incident and keeping them informed of relevant matters.

2.2.3. Testing the PIRMP

PIRMPs must be tested at least once every 12 months. They must be tested within one month of any pollution incident occurring which caused or threatened material harm to the environment (as defined in the Act).

[refer to section 75(1)(a) and 75(1)(b) of the General Regulation]

PIRMPs need to be tested and maintained to ensure the information is accurate and up-to-date, and the PIRMP can be implemented in a workable and effective way. This requirement is applicable to all licensees and testing must take place at least once in any 12-month period (so there is less than 12 months between each test of the PIRMP).

PIRMPs for all licensees must include details of:

- how the PIRMP is to be tested and maintained
- the dates on which the PIRMP has been tested and the names of the staff members who carried out the testing.

For premises-based and mobile plant licence holders, the PIRMP must include the dates on which the PIRMP is updated.

[refer to section 72(n), 72(o), 72(p), 73(b)(vi) and 73(b)(vii) of the General Regulation]

The two usual methods of testing are a desktop exercise or scenario, and practical exercises or drills. Testing must cover all components of the PIRMP, including the effectiveness of training. Licensees should identify the best testing regime for the premises. Only reviewing and updating the contact details in a PIRMP does **not** constitute testing the PIRMP. Any desktop exercise would include working through an incident scenario to ensure the PIRMP is effective.

For premises-based and mobile waste plants the type of testing should reflect the:

- nature of activities undertaken at the premises or by the mobile plant
- risk level determined for the licence under the EPA's risk-based licensing system
- environmental context – location, sensitive/protected waterways (water catchment), air quality, land habitat, sensitive receivers who are close by.

Licensed activities deemed to be of higher-risk under the EPA's risk-based licensing system, major hazardous facilities and those with hazardous waste, should undertake more intensive PIRMP testing on a regular basis, specifically practical exercises or drills. For example, holders of level 3 licences (under the risk-based licensing system) should undertake practical exercises at least once every two years and holders of level 2 licences should undertake practical exercises at least once every three years.

For transporters of waste, the type of testing should reflect the nature of waste being transported, and the types of incidents likely to occur.

Licensees are encouraged to contact their local fire station in advance of testing to provide the opportunity for Fire and Rescue NSW to participate in or observe the testing of the PIRMP. This would assist Fire and Rescue NSW to raise their awareness of the site, provide feedback and update their Pre Incident Plans.

When testing your PIRMP it is strongly recommended you debrief with personnel who participated in the test. A debrief involves asking the following questions:

- What worked?
- What would we do the same next time?
- What would we do differently next time?
- What needs did we identify? (e.g. staff training, safety procedures, additional equipment).

In addition to scheduled testing, the PIRMP must be tested within one month of a pollution incident which caused or threatened material harm to the environment (as defined in Box 1.3). Activation of the PIRMP in response to a pollution incident is not considered a test of the PIRMP for the purposes of this requirement. Testing may take the form of a post-incident debrief to assess whether:

- the PIRMP was implemented efficiently during the activation
- there were areas of the PIRMP that did not work or could be improved
- all contact details were correct and up-to-date
- maps were accurate and sufficiently detailed
- any other details in the PIRMP need to be updated.

The results of all testing of the PIRMP should be recorded. See Section 2.5 for more details on the type of information to record.

2.3. Specific requirements for premises-based and mobile plant licences

As a minimum, all holders of premises-based and mobile plant licences need to include the information outlined in the following sections. Holders of waste transporter licences have separate requirements, detailed in Section 2.4.

It is important to note that each individual licensee must have a PIRMP that relates specifically to their premises or mobile plant.

Section 72 of the General Regulation states that the PIRMP must include:

- a description of the hazards to human health or the environment associated with the activity to which the licence relates (the **relevant activity**),
- the likelihood of the hazards occurring, including details of conditions or events that could, or would, increase the likelihood,
- details of the pre-emptive action to be taken to minimise or prevent a risk of harm to human health or the environment arising out of the relevant activity,
- an inventory of potential pollutants on the premises or used in carrying out the relevant activity,
- the maximum quantity of a pollutant likely to be stored or held at particular locations, including underground tanks, at or on the premises to which the licence relates,
- a description of the safety equipment or other devices used to minimise the risks to human health or the environment and to contain or control a pollution incident,
- the names, positions and 24-hour contact details of individuals who:
 - are responsible for activating the PIRM plan, and

- (ii) are authorised to notify relevant authorities under the Act, section 148, and
- (iii) are responsible for managing the response to a pollution incident,
- (h) the contact details of each relevant authority referred to in the Act, section 148,
- (i) details of the mechanisms for providing early warnings and regular updates to the owners and occupiers of premises near the premises to which the licence relates or where the scheduled activity is carried on,
- (j) the arrangements for minimising the risk of harm to persons who are on the premises or who are present where the scheduled activity is being carried on,
- (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,
- (l) a detailed description of how an identified risk of harm to human health will be reduced, including, as a minimum, by early warnings, updates and the action to be taken during or immediately after a pollution incident to reduce that risk,
- (m) the nature and objectives of a staff training program in relation to the PIRM plan,
- (n) the dates on which the PIRM plan has been tested and the name of the person who carried out the test,
- (o) the dates on which the PIRM plan is updated,
- (p) the way in which the PIRM plan must be tested and maintained.

2.3.1. Description and likelihood of hazards

The PIRMP **must** provide:

- a description of the hazards to human health and/or the environment associated with the activity being undertaken at the premises or where the activity takes place
- the likelihood of any such hazards occurring, including details of any circumstances or events that could, or would, increase that likelihood.

[refer to section 72(a) and 72(b) of the General Regulation]

Many premises share common hazards to both human health and the environment, e.g. stormwater pollution, which can be prevented by stormwater management and sediment control measures. On the other hand, some hazards are linked to the specific activities undertaken on site and where the premises is located.

When preparing the PIRMP, licensees must consider the site-specific hazards, along with the characteristics of the local receiving environment, such as the type of water body and the proximity of the premises to sensitive receiving environments. A premises near a sensitive environment, such as a densely populated area, school, hospital or a water body, must consider the increased risks of environmental or health impacts of a pollution incident.

Licensees should undertake a risk assessment of their premises to identify hazards that need to be managed to minimise the potential for an incident. These include point-sources and diffuse-sources of pollutants, including substances that may become pollutants if released accidentally. Definitions for point and diffuse sources can be found in the dictionary at the end of this Guideline.

Identify potential hazards

Potential hazards include spills and unintended discharges, such as from:

- sedimentation dams
- material transfer points

- workshops
- wastewater or chemical storage areas
- underground and above ground storage tanks and pipes
- fuel tanks
- generation or storage areas for waste materials.

Other potential hazards may be due to the failure of plant or equipment, for example:

- ruptured containment tanks
- uncontrolled release of gas
- effluent storage dam failures
- breakage of pipes
- malfunctioning of valves
- disruption to manufacturing processes
- power failure
- fire.

Some hazards may be obvious, but the PIRMP should include details of less obvious impacts that could arise, for example:

- risks related to substances that may not be toxic but may still cause harm if released to a local waterway (e.g. by smothering aquatic plants and animals)
- the discharge of dust particles into the air, which may cause impacts ranging from nuisance and aesthetic impacts to human health impacts.

Consider contributing circumstances

Licensees should consider the range of circumstances that could contribute to a pollution incident:

- power failure
- natural disasters such as bushfires, floods or major storm events
- materials and equipment brought onto the premises by contractors
- vegetation and other combustible material on or bordering the premises.

Neighbouring commercial or industrial properties may cause incidents that cross boundaries. If vegetation, combustible material or other neighbouring property catches fire, this could spread to the licensee's premises and other sites nearby. Premises near areas classified as bushfire prone or which have bordering vegetation should have an adequate buffer zone between the vegetation and the premises.

Use a risk matrix to rate the likelihood of a hazard and its consequences

The PIRMP must include information about the circumstances or events that could lead to any hazards occurring, the potential impacts to human health and the environment, and the likelihood of those hazards occurring. The likelihood of hazards occurring can be expressed using a risk matrix (consequence versus likelihood) to rate the hazard from low to very high.

A premises located near other facilities that handle dangerous, explosive or combustible materials must consider the likelihood of any impacts on neighbouring facilities and consider using measures to reduce or minimise impacts from a pollution incident that could set off a subsequent pollution incident at those facilities.

2.3.2. Pre-emptive actions

The PIRMP **must** include detailed descriptions of the pre-emptive actions to be taken to minimise or prevent any risk of harm to human health or the environment arising from the activities undertaken at the premises.

[refer to section 72(c) of the General Regulation]

Pre-emptive actions could include:

- implementation of environmental management systems, quality assurance and quality control programs and preventative maintenance procedures
- bunding of storage tanks and areas where liquids are stored
- programmable logic controls that include relevant input controls such as cut-off arrangements where multiple inputs are running together when they shouldn't
- alarms/notification systems
- systems for alerting people on the premises when an incident occurs
- development, use and maintenance of standard operating procedures (SOPs)
- restricting access to high-risk areas to appropriately trained and qualified people (e.g. those with confined area training)
- installation of equipment and storage of supplies for combatting an incident, e.g. spill containment kits, the installation and operation of stormwater cut-off valves or the installation of fire water containment tanks
- regularly checking underground and above ground tank and pipe integrity and keeping an inventory of tank volumes to ensure there are no product losses
- air, stormwater, waterway, groundwater and land monitoring
- audits and inspections of systems and procedures.

As an example, if the identified hazard is spillage due to the overfilling of tanks, circumstances or events that could lead to the hazard and potential impact occurring include:

- no procedure for unloading tankers and filling tanks
- tanker operator not following procedures during tanker unloading and filling of tanks
- the high-level indicator not working properly.

Pre-emptive actions that could be taken to reduce the risk include:

- developing a procedure for loading and unloading tankers and filling tanks
- ensuring operators follow the procedures
- ensuring high-level alarms are maintained, tested regularly and operational.



Large scale secondary containment solutions: bunding around storage tank



Small scale secondary containment solutions



Checking and use of a spill containment kit



2.3.3. Inventory of pollutants

The PIRMP **must** include:

- an inventory of potential pollutants stored on the premises or used in carrying out activities at the premises
- the maximum quantity of any potential pollutant likely to be stored or held at the premises, including those stored in underground tanks.

[refer to section 72(d) and 72(e) of the General Regulation]

A readily available inventory of pollutants:

- enables employees and emergency services personnel to respond effectively to a pollution incident
- helps them understand the potential scale and likely impact of the incident
- informs their decision-making in responding to the specific incident on the day.

Pollutants can include, but are not limited to:

- chemicals and/or hazardous substances used in cleaning or production processes
- fuels and lubricants used for equipment or machinery
- gas cylinders or major hazardous storage
- dust from stockpiles or fugitive emissions from chemical and/or hazardous substance use
- waste materials or wastewater, effluents and sediment laden stormwater.

See Section 1.4 and Box 1.1 in this Guideline, and the [dictionary of the POEO Act](#), for more information about pollutants.

Licensees should consider all substances that may potentially become pollutants, including those less obvious substances, e.g. materials from baghouses that may be released if a failure occurs.

Details of the pollutant storage locations are to be provided, including underground storage tanks and other storage methods.

If a premises has tanks containing liquid waste, the contaminants in the waste need to be specified in the pollutant inventory. If there is a first flush system or stormwater holding ponds, these should be included in the list of potential pollutants.

2.3.4. Safety equipment

The PIRMP **must** include a description of the safety equipment or other devices used to minimise the risks to human health or the environment and to contain or control a pollution incident

[refer to section 72(f) of the General Regulation]

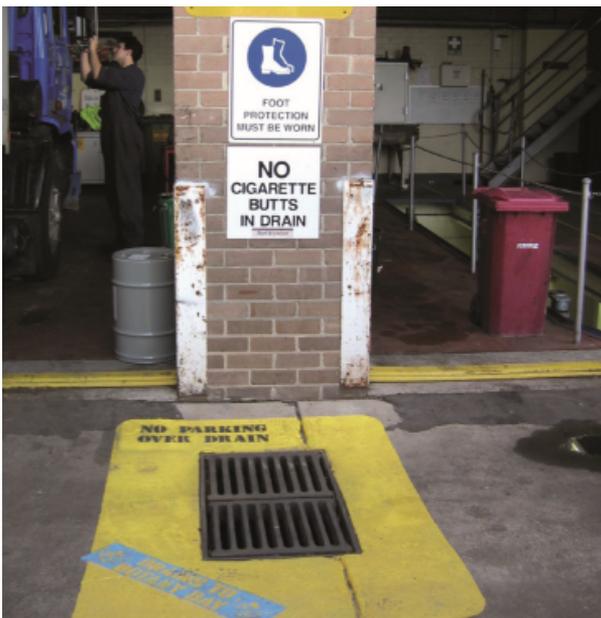
All safety equipment and other devices on the premises must be listed in the PIRMP.

The PIRMP **should** include:

- specific safety equipment needed for specific types of incidents, for example
 - protective gloves for certain types of corrosive chemicals
 - other personal protective equipment required for the handling of hazardous chemicals and radioactive substances
 - gas monitoring meters used to monitor gas leaks from tanks
 - gauges on tanks
 - alarms for when there are issues with processes

- firefighting equipment
- safety data sheets
- hard hats for designated ‘emergency controllers’
- eye-wash stations and showers
- emergency back-up generators.
- the location where the safety equipment and other devices are stored/located
- the up-to-date safety data sheets for any chemicals or fuels used or stored at the premises
- containment and control options for the identified hazards, e.g. floating booms used to contain spills on water bodies or specific spill containment equipment, stormwater drain guards or spill kits.

When considering the safety equipment needed, the licensee should consider all possible types of incidents that could occur at the premises.



Clearly marked stormwater drain and raised door thresholds (left) and clearly marked spill response equipment to prevent spills entering drain (right).

2.3.5. Contact details

The PIRMP must include the:

- names, position titles and 24-hour contact details of those key individuals who are
 - a) responsible for activating the PIRMP
 - b) authorised to notify relevant authorities, including all relevant authorities under section 148 of the POEO Act
 - c) responsible for managing the response to a pollution incident
- relevant authorities under section 148 of the POEO Act, including
 - d) the EPA
 - e) Fire and Rescue NSW and/or Rural Fire Service
 - f) NSW Health

- g) SafeWork NSW
- h) the local council.

[refer to sections 153C(a) and 148 of the POEO Act and section 72(g) of the General Regulation]

The PIRMP must clearly identify the people who will be responsible for ensuring it is **activated** and for managing the response should a pollution incident occur.

The PIRMP should clearly specify the person (or people) responsible for contacting each of the relevant individuals and authorities and should list alternative individuals who would be responsible should the specified person(s) be unavailable. Twenty-four-hour contact details should be provided for each person identified in the PIRMP.

In addition to the agencies listed above, the contact details of any other organisation or agency that needs to be advised of the pollution incident should be included in the PIRMP. Examples include the Department of Primary Industries for incidents that may impact fisheries or agriculture (e.g. water pollution impacts on oyster growers), or WaterNSW for discharges to drinking water catchments in the Sydney and Wollongong areas.²

2.3.6. Communicating with neighbours and the community

The PIRMP **must** include details of the approaches and systems to be used to provide early warnings and regular updates to the owners and occupiers of premises near the licensee's premises (i.e. neighbours) who may potentially be impacted by an incident occurring on the premises.

[refer to section 72(i) of the General Regulation]

Communicating with neighbours and the local community is an important element in managing the response to any pollution incident.

The location, geography and proximity to neighbours varies for each licensed premises. Each licensee should consider the types of pollution incidents likely to occur at the premises and the extent to which those incidents may impact on neighbouring industrial, commercial, residential or community premises, including any schools, preschools, nursing homes or hospitals.

Have a communication strategy in place

The EPA recommends licensees meet with all the relevant parties involved in providing information to the community in the event of an incident (e.g. emergency services, local council) to discuss and agree on a communication strategy before finalising their PIRMP. This is strongly advised for level 3 licences (under the risk-based licensing system). The communication strategy must include details about providing early warnings or immediate notification to nearby properties that an incident is occurring or is imminent.

Licensees should consider including a map in the PIRMP showing different 'communication zones' within the surrounding areas, based on the risk posed to the area and the requirements for communication. Those within higher-risk zones may need to be notified immediately in certain circumstances, before emergency services can arrive. For those in other, less affected areas, it may be appropriate for communication to occur after emergency services arrive.

Communication should be fit-for-purpose and tailored to the:

- nature of the incident

² For more information on who to contact in the event of a water pollution incident refer to [Contacts for water pollution](#) on the EPA website.

- phase of response (e.g. initial community notifications, update communications, clean-up/recovery)
- types of neighbours who need to receive information.

As appropriate to the circumstances, communication can make use of:

- incident notifications on the licensee's website
- social media
- telephone calls, SMS or other messaging systems
- emails to community representatives (as agreed through a community consultation process)
- letterbox drops
- doorknocking of affected community members.

To ensure everyone can access important information, find ways to reach neighbours who may have limited reading comprehension, special visual or auditory needs, speak English as a second language, or have no internet access.

The PIRMP's communication should tell neighbours and people near the premises the practical things they can do to minimise the risk of harm to their health and property, during and after the incident. For example, this could include instructions to close windows and doors and remain inside to avoid emissions of certain types of air pollutants (especially for asthmatics), or avoiding using water in creeks, rivers or groundwater likely to be affected by a pollutant discharge.

Notifying about water and air pollution incidents

If there is a discharge to the stormwater system or a watercourse, the licensee must notify premises next to the stormwater system or watercourse and consider whether to notify any downstream users such as stock and domestic users, holders of water irrigation licences, recreational water facilities or oyster growers.

When deciding the extent of community notification for potential air emissions, the licensee should consider the:

- type of pollutant
- prevailing winds
- height and magnitude of the emission
- location of any onsite fallout or offsite impacts
- likelihood of the pollutant reaching ground level
- possible impacts on any sensitive receptors.

While this information will be incident-specific, the communication strategy should include the types of information to be provided (once available).

Do not rely solely on emergency services to communicate with neighbours

Some licensees may plan to rely on the emergency services (i.e. NSW Police, Fire and Rescue NSW or Rural Fire Services) to communicate with neighbours when an incident occurs. This may not be appropriate in cases where it is likely to take a long time for emergency services to travel to the premises, e.g. where the nearest emergency services facility is an hour away. In these cases, licensees must have a way to inform neighbouring residents and businesses there has been a pollution incident and any measures they need to take, such as staying indoors or closing windows. All licensees should find communication methods that do not rely on emergency services to communicate with neighbours.

2.3.7. Minimising harm to people on the premises

The PIRMP **must** include any actions or arrangements that will be in place to minimise the risk of harm to any people who will be on the premises or who are likely to be on the premises should an incident occur.

[refer to section 72(j) of the General Regulation]

These actions or arrangements can include the activation of evacuation procedures, clearly advertising evacuation assembly areas to site personnel, and activating visible and audible warning alarms.

The PIRMP should outline the conditions under which employees and people onsite should evacuate the premises, when they should stay and assist in cleaning up a pollution incident, and what precautions people should take to minimise any harm to themselves.

Consideration should be given to having suitable contractors and consultants available to provide expert medical, toxicology or environmental impact advice at short notice.

Appropriate training and personal protective equipment should be provided for people onsite, and contingency resources and basic clean-up resources should be available.

2.3.8. Maps

The PIRMP **must** include a detailed map, or set of maps, showing the:

- location of the premises
- surrounding area likely to be affected by a pollution incident
- location of potential pollutants on the premises, including underground tanks
- location of any stormwater drains on the premises.

[refer to section 72(k) of the General Regulation]

Detailed and up-to-date maps and diagrams are important operational and emergency management tools, which assist proper planning and emergency response. They provide an effective method for locating all potential sources of risk and identifying the area likely to be impacted by a pollution incident. In emergency situations, maps and diagrams assist responders to work out the most appropriate course of action to minimise environmental impacts.

When developing maps, consider where any pollution would travel in the event of an incident and what areas would be impacted. Licensees should consider all possible types of pollution events to ensure maps contain the appropriate detail.

Maps must indicate the location of stormwater drains and overland flows as well as general drainage pathways on the premises, including the location of any discharge points from the site that drain to any water courses or water bodies in the surrounding area likely to be affected by a pollution incident.

There are many different factors when determining the distance the pollutant emission or discharge might travel and therefore the areas likely to be impacted by a pollution incident, including the:

- type, quantity and concentration of pollutants
- prevailing winds/rain
- water flow
- discharge pathway
- sensitivity of the receiving environment.

This information is generally readily available and would have been determined during the development approval stage for most sites. It is found in documents like environmental impact statements, environmental impact assessments, dam break analysis reports, air impact modelling reports and reports on the assessment of the impacts on surface waters. When preparing maps licensees should, where necessary, reference applicable documents and use the information they contain.

Maps **must** show the location of potential pollutants and should show the area likely to be impacted by specific types of incidents, using contours or concentric circles. This information is important for deciding who needs to be notified of certain pollution incidents and the responses that may be needed (including evacuation if appropriate). This approach is strongly suggested for pollution events with a high likelihood of occurrence.

Maps should show the locations of:

- safety equipment, pollution control and pollution response equipment on the premises
- mains/master switches
- the PIRMP and Emergency Plans.

This provides emergency responders with essential information when responding to incidents such as fires.

Maps showing the surrounding area should clearly show the location and name of nearby premises, residents, schools or other sensitive receivers such as hospitals, nursing homes, childcare centres, as well as the scale and north arrow.

The following pages show example maps to assist you to provide all the required information. These maps provide an example for a small, simple facility. Further map examples, suitable for all sizes of facilities including large, complex sites, can be found in Appendix A.

SMALL FACILITY XYZ
 1234 Alpha Street
 EXAMPLETOWN
 EPL 6789

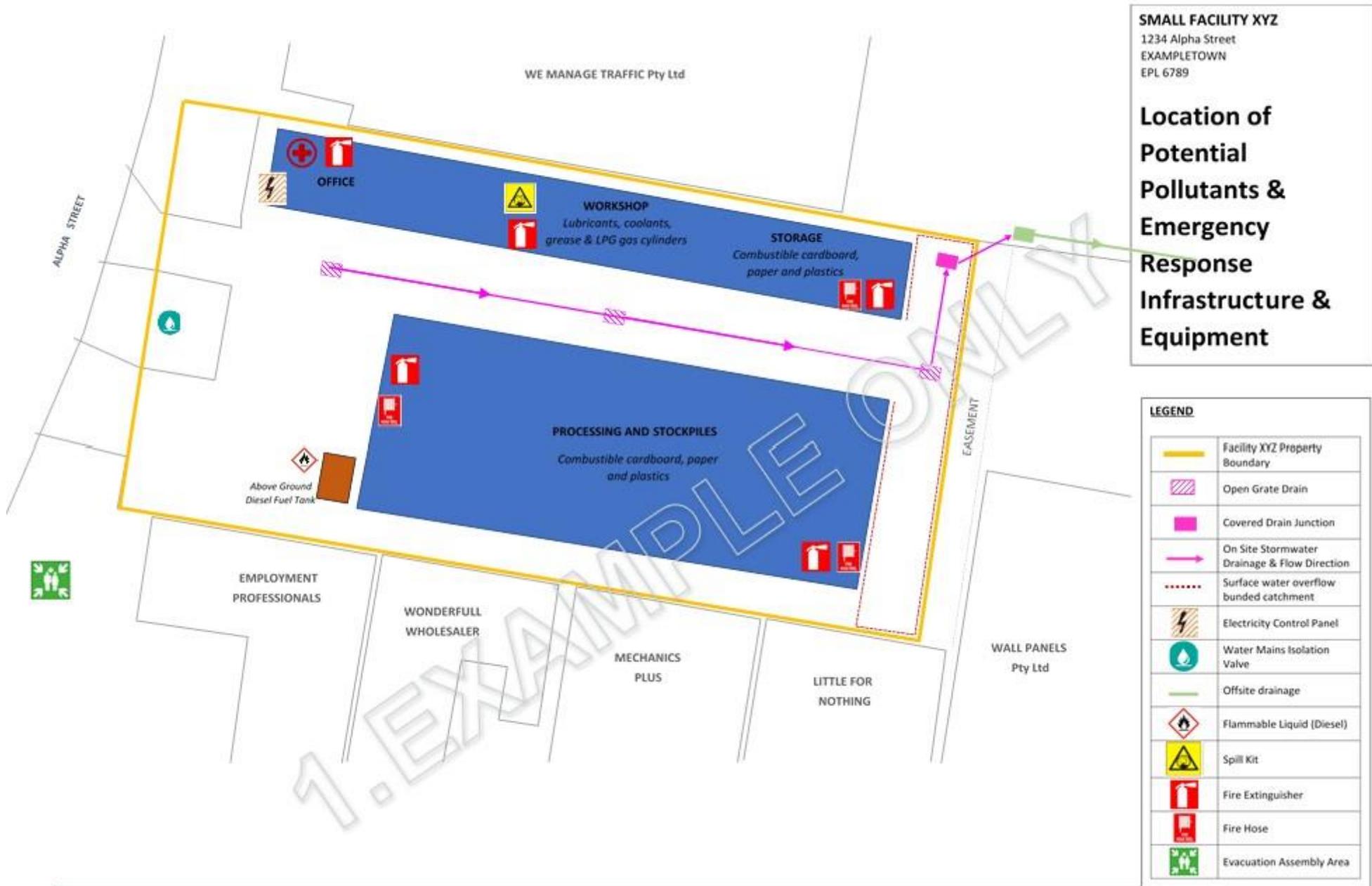
**FACILITY
 LOCATION &
 SURROUNDING
 AREA LIKELY TO
 BE AFFECTED BY
 A POLLUTION
 INCIDENT**



LEGEND

- Facility XYZ
- Watercourse and flow direction
- 'x'm likely Incident Impact Zone
- Stormwater drainage and flow direction
- S Public school

0 100 200m



2.3.9. Actions to be taken during or immediately after a pollution incident

The PIRMP **must** include:

- a detailed description of how any identified risk of harm to human health will be reduced including, as a minimum, early warnings, updates and actions to be taken, during or immediately after a pollution incident to reduce that risk
- the procedures to be followed for coordinating with authorities or other persons who have been notified, any action to be taken in combating the pollution caused by the incident, including the person through whom all communications are to be made

[refer to section 72(l) of the General Regulation and section 153C of the POEO Act]

Details should include:

- the immediate actions required for the containment of a pollutant
- the incident assessment process that will determine the scale of the pollution incident
- how and when the notification protocol will be activated
- strategies to be employed to reduce the risks of harm to human health both during and immediately after the pollution incident.

Examples of immediate actions to contain the pollutant and minimise the incident include:

- deployment of spill containment equipment
- activation of stormwater shut-off valves
- shutdown of processes or equipment
- use of firefighting equipment.

When deciding on the action to be taken for a pollution incident that is going to impact the surrounding area, consider the response time needed for emergency services to arrive at the premises, which is dependent on factors such as the distance to the nearest emergency service facility, traffic and road conditions. If the response time is likely to be over **30** minutes, licensees (especially facilities that store hazardous chemicals) should consider establishing their own limited first response capability, to manage the incident until emergency services arrive onsite.

Depending on the hazards identified for each site, licensees may need to tailor their first response capability. This may include having a crew of appropriately trained personnel and equipment onsite to deal with the emergency, including adequate fire-fighting equipment, spill containment booms, etc, and a means of notifying affected neighbours.

Consider how any clean-up from a pollution incident will be done, including procedures that may include the engagement of contractors, and use of clean-up equipment such as waste disposal tankers and waste disposal facilities.

As the costs associated with the clean-up of a pollution incident can be significant, more than \$1 million in some cases, the licensee should consider how they would fund clean-up operations, such as taking out appropriate insurances or having contingency funds available. The reasonable cost and expenses of any clean-up undertaken by the EPA and emergency response agencies which are public authorities may, where appropriate, be recovered from the company or individual responsible for the pollution incident.

2.3.10. Staff training

The PIRMP must include details on the nature and objectives of any staff training program in relation to the implementation of the PIRMP.

[refer to section 72(m) of the General Regulation]

Details of the PIRMP implementation training program should include the frequency, objectives and how the records of any training will be kept.

Suitable training could include:

- toolbox talks
- formal staff training on incident management
- desktop scenario exercises
- field exercises
- incident exercises (including exercises in conjunction with emergency services).

The training needs to be suitable for the level of risk, the nature of potential incidents and the likelihood of pollution incidents occurring at the premises.

2.3.11. Testing and updating the PIRMP

The PIRMP **must** include:

- dates when the PIRMP was tested and the name of the person(s) who carried out the test
- dates when the PIRMP was updated
- a description of how, when and by whom the PIRMP is to be tested and maintained over the next testing period.

[refer to section 72(n), 72(o) and 72(p) of the General Regulation]

PIRMPs **must** be tested routinely at least once every 12 months and within one month of any pollution incident occurring that caused or threatened material harm to the environment (as defined in Box 1.3).

PIRMPs may be updated following testing or a change to the contact details for the individuals who are to be contacted or who are responsible for contacting others in the case of a pollution incident, or as part of a general review of the PIRMP.

If significant changes are made to plant and equipment at the premises or the operation of the premises, it is recommended the PIRMP be reviewed to ensure it remains relevant. This may include when the site increases its production capacity, when significant new plant and equipment is installed or upgraded and when the layout of the plant is changed (e.g. a chemical storage area is moved). A new risk assessment should be done to determine if the risks have changed (their nature and/or location), whether new preventative measures are needed to minimise the risks and potential impact of an incident, and to ensure the PIRMP is effective if it needs to be activated.

When reviewing their PIRMP, licensees should think about any changes in their local area in the past 12 months, to ensure the level of risk has not changed, for example:

- new service station
- new dangerous goods depot
- new childcare centre
- new hospital
- replacement of a single dwelling property with a multi-dwelling property
- new roads or rail

- stormwater or sewage infrastructure changes.

These changes could affect the level of risk posed by a licensee's activities on neighbouring properties and the risks neighbouring activities may have on their own site.

More detailed information on the testing requirements can be found at Section 2.2.3.

2.3.12. Information for mobile plant licences

PIRMPs for mobile plant licences will need to be updated when a plant moves location, to ensure the PIRMP meets the requirements set out in the legislation. Following a change in location, all components of the PIRMP should be reviewed and updated as necessary. This includes the inventory of pollutants used to carry out the activity, contact details for the relevant local authorities, communicating with the neighbouring community, the location of sensitive receivers in the surrounding area, and maps of the new location where the activity is taking place.

2.4. Specific requirements for trackable waste transport licences

Section 73(b) of the General Regulation states that the holders of a licence to **transport trackable waste**, **must** include the following information in their PIRMP:

- (i) the names, positions and 24-hour contact details of individuals who –
 - (a) are responsible for activating the PIRM plan, and
 - (b) are authorised to notify relevant authorities under the Act, section 148, and
 - (c) are responsible for managing the response to a pollution incident,
- (ii) the contact details of each relevant authority referred to in the Act, section 148,
- (iii) a community engagement protocol that includes procedures for notifying people living or working near a pollution incident and keeping them informed of relevant matters,
- (iv) details of the pre-emptive action to be taken to minimise or prevent a risk of harm to human health or the environment arising out of that activity, including, as a minimum, action that complies with any requirements set out in of the ***Protection of the Environment Operations (Waste) Regulation 2014***, clauses 70, 72 and 73,
- (v) the nature and objectives of a staff training program in relation to the PIRM plan,
- (vi) the dates on which the PIRM plan has been tested and the name of the person who carried out the test,
- (vii) the way in which the PIRM plan must be tested and maintained.

The types of actions required in the event of a pollution incident while transporting waste may change depending on the type of waste being transported, the nature of the incident and the location where the incident occurs. Licensees should consider all potential pollution incidents that could arise when transporting waste.

The transport certificate required for the transport of trackable waste contains details on the nature of waste being transported that must be available to emergency services in the event of a pollution incident.

Please note, for trackable wastes classified as dangerous goods, there are additional requirements in relation to transportation documentation, emergency response and safety equipment.³

A PIRMP may form part of another document such as the emergency response plan required for the transport of dangerous goods. If the PIRMP is part of another document, it must meet **all** the

³ Dangerous goods requirements are set out in the Dangerous Goods (Road and Rail Transport) Regulation 2014.

requirements under Part 5.7A of the POEO Act and Chapter 4 of the General Regulation, and the PIRMP-related information must be clearly identified.

2.4.1. Contact details

The PIRMP **must** include:

- the names, position titles and 24-hour contact details of those key individuals who are
 - a) responsible for activating the PIRMP
 - b) authorised to notify relevant authorities under section 148 of the POEO Act
 - c) responsible for managing the response to a pollution incident
- the contact details relevant for the location where the incident occurs for
 - d) the EPA
 - e) Fire and Rescue NSW and/or Rural Fire Service
 - f) SafeWork NSW
 - g) NSW Health
 - h) the local council.

[refer to section 153C(a) of the POEO Act and section 73(b)(i) and 73(b)(ii) of the General Regulation]

In addition to the details listed above, the PIRMP should include:

- how the relevant local council and the relevant area health service (NSW Local Public Health Unit), will be determined as these will be specific to the location of the incident
- who will make that determination
- the contact details for those local councils and relevant health services
- who will contact those authorities (these tasks might be the responsibility of personnel at the waste transport company's base of operations).

The PIRMP should specify the roles of the driver and of the people implementing the notification requirements.

To identify which council a location falls under refer to the [Find My Council webpage](#). For a listing of council contact details (during business hours) refer to the [Local Government Directory](#). Contact details for local public health units can be found on the [NSW Health website](#).

2.4.2. Communicating with the community

The PIRMP **must** include a community engagement protocol that provides procedures for notifying the community members living or working in the vicinity of the pollution incident and keeping them informed of relevant matters.

[refer to section 73(b)(iii) of the General Regulation]

Communicating with the community affected by a pollution incident from the transportation of waste is an important element in managing the response to any incident.

The community engagement protocol should include details about providing notification to nearby industrial, commercial and residential properties that a pollution incident has occurred or is imminent. The person(s) responsible for public communications during the incident should be included in the community engagement protocol.

Communication mechanisms should be coordinated with emergency services personnel responsible for managing the response to the pollution incident. Where the incident is being managed by emergency services, community notification may be led by the incident controller.

2.4.3. Actions to be taken

The PIRMP **must** include:

- detailed descriptions of the actions to be taken immediately after the pollution incident to reduce or control any pollution
- detailed descriptions of the pre-emptive actions that need to be taken by the licensee to prevent any risk of harm to human health or the environment that may arise as a result of the transportation of waste
- at a minimum, the pre-emptive actions should comply with the requirements set out in sections 70, 72 and 73 of the Protection of the Environment Operations (Waste) Regulation 2014 as detailed in Box 2.1 below.

[refer to section 153C(b) of the POEO Act and section 73(b)(iv) of the General Regulation]

Box 2.1: Clauses 70, 72 and 73 of the Protection of the Environment Operations (Waste) Regulation 2014, regulating the transportation of waste:

70 Avoiding escape of waste during transportation

(1) A person who transports waste must do so in a manner that avoids the waste spilling, leaking or otherwise escaping from the vehicle or plant used to transport the waste. For example, the person must ensure that:

(a) any container mounted on the vehicle or plant is secured safely to the vehicle or plant during transportation of the waste, and

(b) any waste that is likely to be blown, or otherwise escape, from the vehicle or plant if uncovered during its transportation is covered during its transportation.

(2) A person who, in the course of business, transports waste must take all reasonable steps to ensure that any vehicle or plant used to transport the waste is constructed and maintained so as to avoid the waste spilling, leaking or otherwise escaping from the vehicle or plant.

72 Other requirements applying to transportation in course of business

(1) A person who, when acting in the course of employment or in the course of business, transports waste must ensure that:

(a) the following are carried in any vehicle used to transport the waste:

(i) a copy of any environment protection licence required to authorise the transportation of the waste,

(ii) a spill kit that is appropriate for the type of waste being transported, and

(b) incompatible wastes are not transported together, and

(c) any material that, when it is collected for transportation, has been segregated for recycling is not mixed with other waste in the course of transportation, and

(d) any liquid waste that, when it is collected for transportation, has not been mixed with other waste is not mixed with other waste in the course of transportation.

(2) A person who, in the course of business, transports liquid waste must ensure that the waste is able to be sampled by the release of suitable and accessible valves located on the top and, where appropriate, bottom of any container used to transport the waste.

73 Requirement applying to vehicles transporting waste to which Part 4 applies

A person who, when acting in the course of employment or in the course of business, transports waste to which Part 4 applies must ensure that any Guide set out in the yellow section of HB 76: 2010 Dangerous Goods – Initial Emergency Response Guide and applying the waste concerned is carried in any vehicle used to transport the waste.

When listing the types of actions to be taken, licensees should consider all possible scenarios that could result in potential pollution incidents when transporting waste, e.g. leaks, spills, fires, explosions and accidents.

Actions to be taken immediately after the pollution incident to reduce or control any pollution will be determined by the type of waste being transported, the nature of the incident and the location where the incident has occurred. Actions could include:

- those required for the containment of a pollutant such as
 - isolating any spill and preventing entry of substances to waterways, drains or enclosed spaces
 - stopping a leak if it is safe to do so
- using fire extinguishers if it is safe to do so
- keeping combustibles away from a spill
- eliminating ignition sources or isolating the area.

Wastes classified as dangerous goods will have specific emergency responses based on their dangerous goods class, which will be set out in the relevant initial emergency response guide.

Pre-emptive actions will be dependent on the types of waste being transported and may include ensuring:

- drivers have adequate training on the types of substances being transported
- appropriate and regularly maintained safety equipment and personnel protective equipment are located in the vehicle.

2.4.4. Staff training

The PIRMP **must** include details on the nature and objectives of any staff training program in relation to the implementation of the PIRMP.

[refer to section 73(b)(v) of the General Regulation]

Details of the PIRMP implementation training program should include the frequency of training, how the training will be documented and how long the records will be kept.

Training could include:

- toolbox talks
- formal staff training on incident management
- desktop scenario exercises
- field exercises
- incident exercises
- exercises with emergency services.

The training needs to be suitable for the level of risk associated with the transport of various types of wastes and the likelihood and nature of pollution incidents that could occur while transporting waste.

2.4.5. Testing the PIRMP

The PIRMP must include the:

- dates on which the plan has been tested and name of the person who carried out the test
- way in which the plan is to be tested and maintained.

[refer to section 73(b)(vi) and 73(b)(vii) of the General Regulation]

More detailed information on the testing requirements can be found at Section 2.2.2.

2.5. Demonstrating compliance with PIRMP requirements

It is recommended licensees keep records of the following to allow them to demonstrate they have complied with their PIRMP obligations:

- the details of PIRMP tests
 - the date, names and positions of personnel involved in the test, along with the dates these names are recorded in the PIRMP
 - whether others assisted with the testing (e.g. response agencies)
 - the nature of the test (ideally a copy of any test plan)
 - the specific sections of the PIRMP tested in detail
 - the findings of the tests
 - a copy of the test report
- the nature of changes made to the PIRMP to address issues identified when the PIRMP was activated or tested
- the version of the PIRMP (version number and/or date) changes were reflected in and the issues they address if it is not evident in the changes themselves
- dates when the PIRMP (or parts of it) has been made available and the name of the recipient, for example
 - to an EPA authorised officer (e.g. during a site inspection on [date])
 - to response agencies during an incident
 - to members of the public on request.

The PIRMP templates at Appendix B (for premises-based and mobile plant licences) and Appendix C (for waste transport licences) can be used to record this information.

2.6. Reporting on compliance with PIRMP requirements

Holders of premises-based and mobile plant licences are required to report on their compliance with PIRMP obligations in their Annual Return. The Annual Return asks licensees to confirm if their PIRMP:

- has been prepared as required under the legislation
- is available at the premises
- is available on a publicly accessible website, and if so, the details of the website
- has been tested in the last 12 months, and if so, the date it was last tested
- has been updated, and if so, the date it was last updated.

The Annual Return asks licensees:

- how many times the PIRMP has been activated during the reporting period
- the dates when the PIRMP was activated.

The Annual Return is a major part of the reporting requirements under the provisions of the POEO Act, and it is essential it be correctly completed. Licensees are required to certify the information they have provided in the Annual Return is correct. It is an offence to provide false and misleading statements in the certified Annual Return, with maximum penalties of \$250,000 for corporations and \$120,000 for individuals.

2.7. Penalties for non-compliance with PIRMP requirements

PIRMPs are an important legislative requirement for licensees. There are offences set out in the POEO Act in relation to PIRMP requirements. These relate to the failure to:

- prepare a PIRMP that complies with Part 5.7A of the POEO Act
- ensure the PIRMP is kept at the premises the environment protection licence relates to or where the relevant activity takes place (in the case of trackable waste transporters and mobile plant), and make parts of it available to the public
- test the PIRMP in accordance with the regulations.

The maximum penalties for the above offences are:

- for corporations
 - \$1,000,000
 - and for continuing offences, a further penalty of \$120,000 per day the offence continues
- for individuals
 - \$250,000
 - and for continuing offences, a further penalty of \$60,000 per day the offence continues.

It is also an offence if a person carrying out an activity does not implement the relevant PIRMP if a pollution incident occurs in the course of an activity, so material harm to the environment is caused or threatened.

The maximum penalties for this offence are:

- for corporations
 - \$2,000,000
 - and for continuing offences, a further penalty of \$240,000 per day the offence continues
- for individuals
 - \$500,000
 - and for continuing offences, a further penalty of \$120,000 per day the offence continues.

The EPA regularly runs campaigns to monitor licensees' levels of compliance with PIRMP requirements and will continue to do so, using a range of approaches including site inspections, targeted compliance audits and campaigns, and investigating pollution incidents.

The EPA uses a number of tools to achieve environmental compliance including penalty notices, formal warnings, official cautions, notices and directions, and prosecutions. For more information about the EPA's regulatory decision-making, please refer to the [EPA's Regulatory Strategy and Regulatory Policy](#).

2.8. Dictionary

All words in this Guideline have the same meaning as in the [POEO Act](#).

In addition, the following words are defined for the purposes of this Guideline:

diffuse source pollution means pollution that does not come from a discrete point source. Diffuse source water pollution is mainly driven by rainfall runoff, particularly from storms, but contamination of underground water

systems and aquifers can occur over long periods independent of rainfall and may be linked to current or past land uses on the ground. It can include leaks from underground chemical storage tanks and reticulation systems.

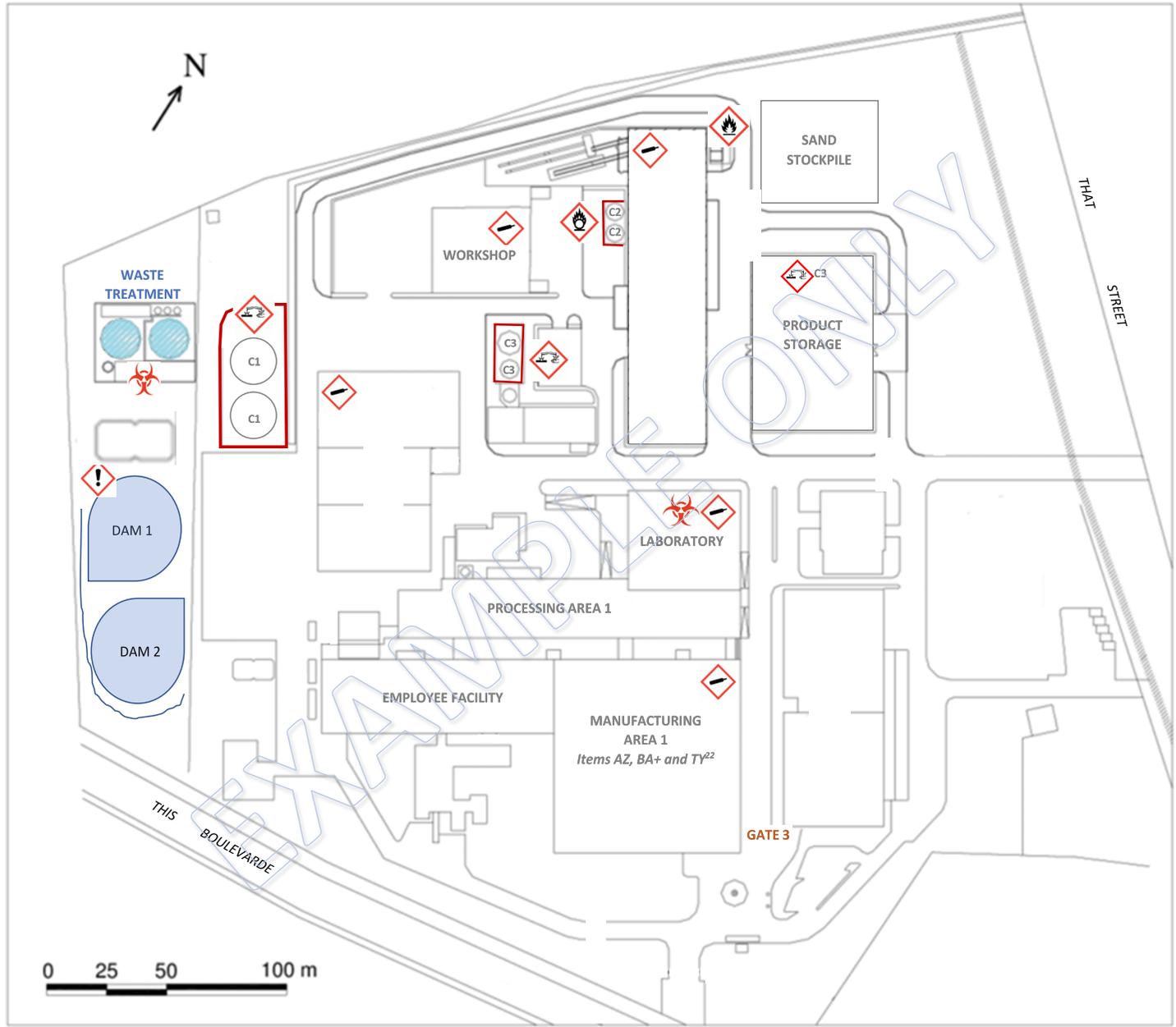
Examples of diffuse air pollution include fugitive particulate emissions (e.g. dust), and release of volatile compounds (e.g. fuels escaping to the atmosphere from leaking tanks or piping).

point source pollution

means pollution that comes from a discrete point source, such as a ventilation stack or drain flowing from industrial premises.

Appendix A: Example maps for complex facilities



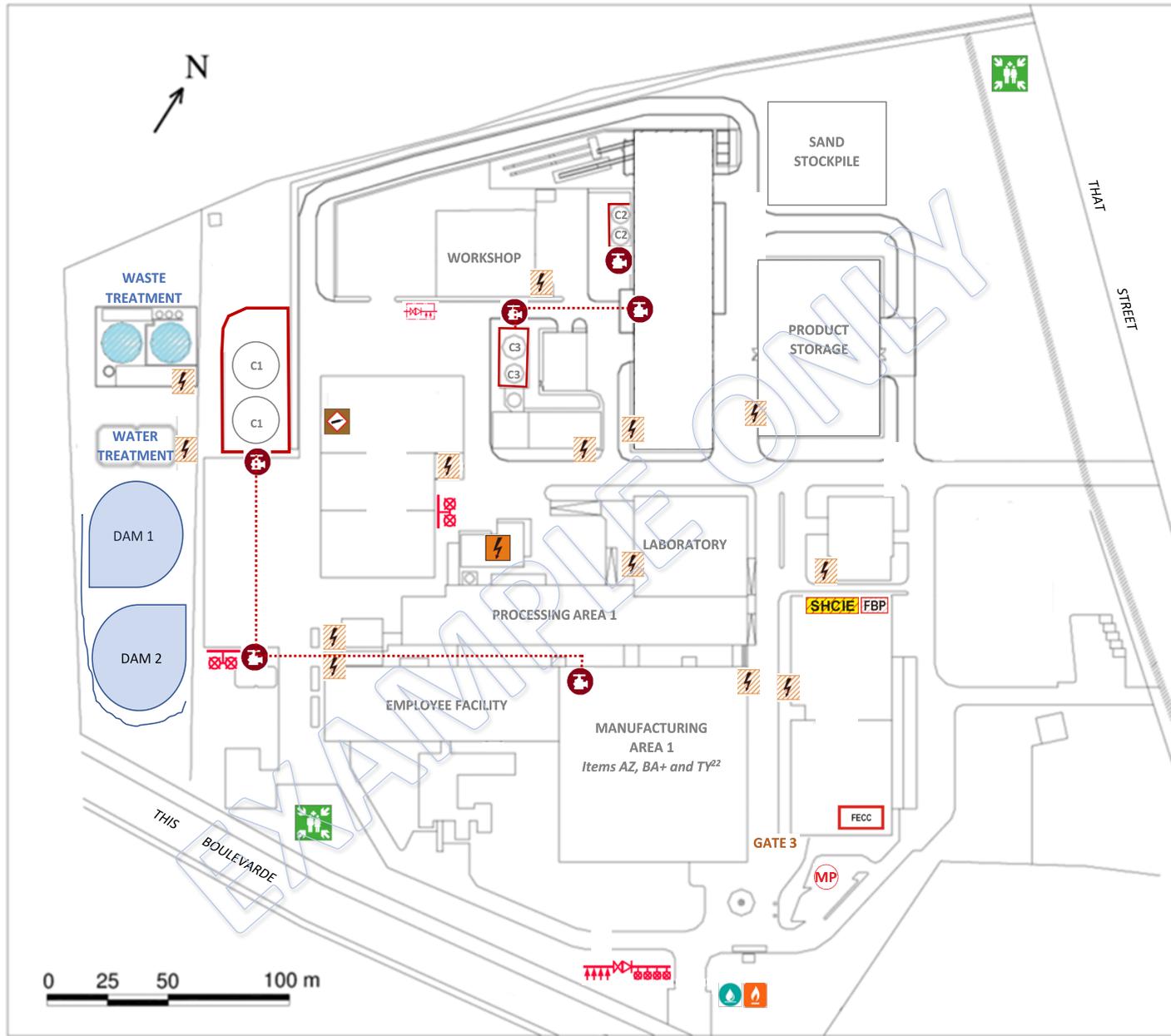


MANUFACTURER ABC
 1657 That Street
 EXAMPLETOWN
 EPL 12345

POTENTIAL POLLUTANTS

LEGEND

	Biological hazard
	Gas Storage/Gas Under Pressure
	Corrosive
	Low Level Toxicity / Irritant
	Flammable Liquids
	Oxidising Liquids
	Bunded Area

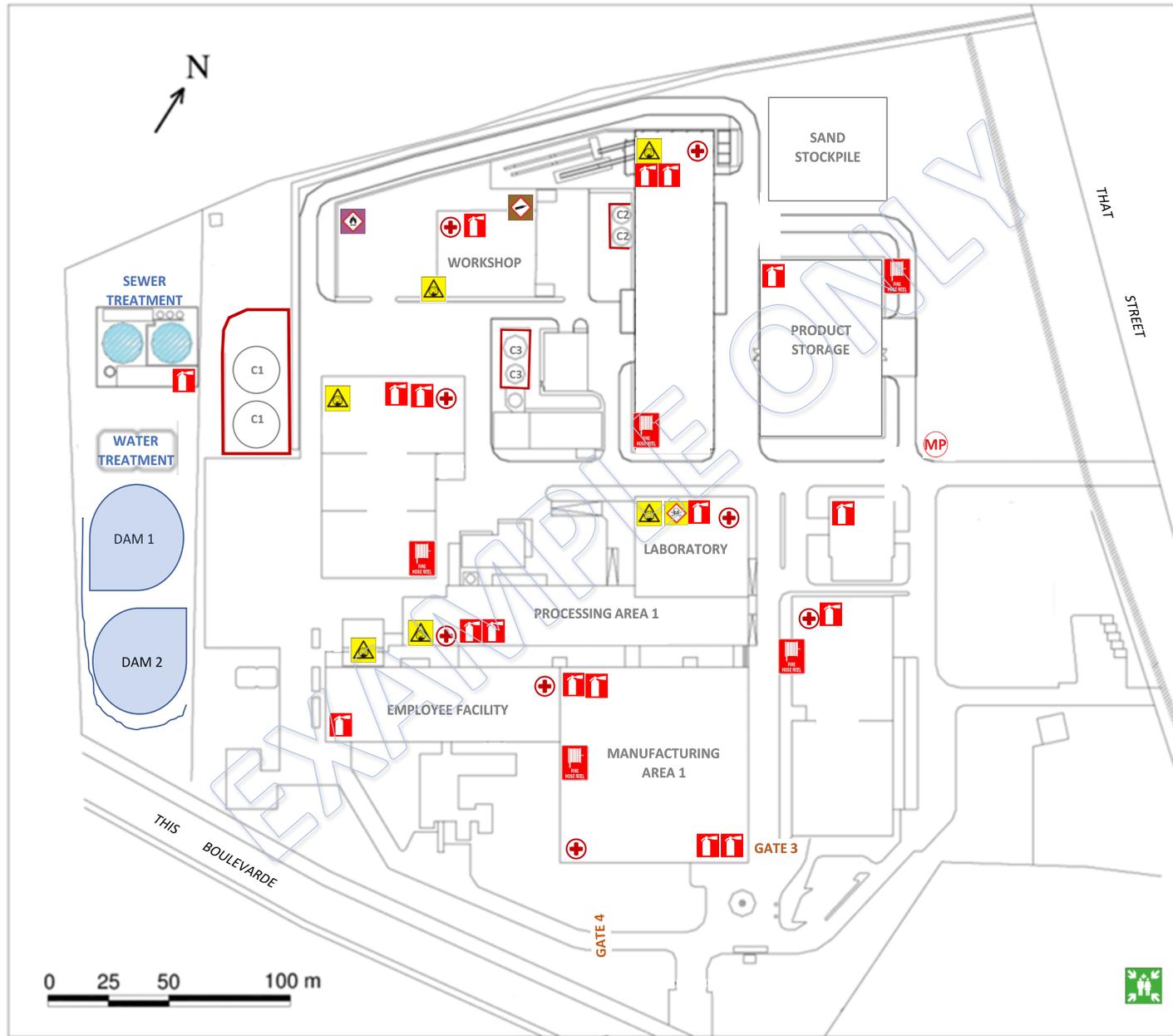


MANUFACTURER ABC
 1657 That Street
 EXAMPLETOWN
 EPL 12345

**EMERGENCY
 RESPONSE
 INFRASTRUCTURE**

LEGEND

	Facility Emergency Control Room (FECC)
	Emergency Services Meeting Point (Includes HAZMAT Manifest container)
	Hazard Control Indication Panel
	Fire Brigade Panel
	Fire Hydrant Booster
	Fire Hydrant Valve
	Booster Assembly
	Gas mains Isolation Valve
	Water Mains Isolation Valve
	Site Electricity Sub Station
	Electricity Switch Isolation
	Bundled Area
	Underground Transfer Pipes
	Emergency Isolation / Shut Off Valve
	Evacuation Assembly Point



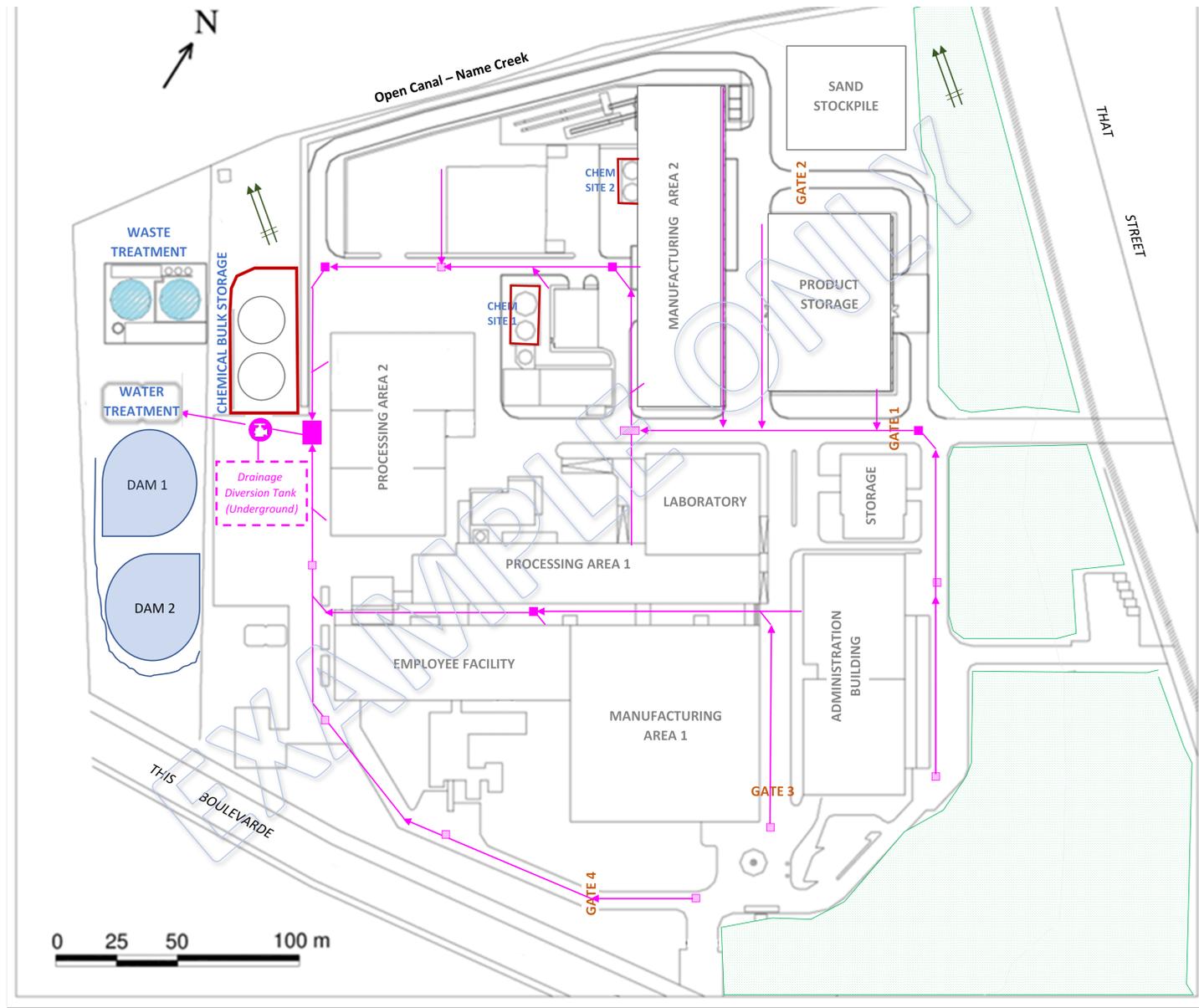
MANUFACTURER ABC
 1657 That Street
 EXAMPLETOWN
 EPL 12345

**EMERGENCY
 RESPONSE
 EQUIPMENT**

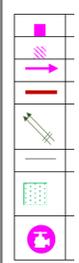
LEGEND

	First Aid Post + AED
	Evacuation Assembly Point
	Fire Hose Reel
	Fire Extinguisher
	HAZMAT Spill Kit

LOC STC DR/ LIN



LEGEND



Appendix B: PIRMP Template – Premises and mobile plant

Appendix C: PIRMP Template –
Waste transporters

Appendices B and C are available as separate downloads.