

Environmental Protection Act 1986

Section 73A

PREVENTION NOTICE

PERSON TO WHOM THIS NOTICE IS GIVEN:

(Being the owner and occupier of the Premises described below)

The Chief Executive Officer
The Shire of Esperance
Administration Centre
Windich Street
Esperance, in the state of Western Australia

PREMISES TO WHICH THIS NOTICE RELATES:

ⁱThe Myrup Truck Washing facility located at Lot 1885 on Plan 171656, Myrup Road, MYRUP in Western Australia:

("the Premises")

REASON FOR WHICH THIS NOTICE IS SERVED:

This Notice is issued because I suspect on reasonable grounds that the Shire of Esperance is in control of the Premises and:

- (a) Liquid waste containing elevated levels of nutrients (total nitrogen up to 84 mg/l and total phosphorus up to 15 mg/l) and salinity (electrical conductivity up to 1260 Ms/m) and Biochemical Oxygen Demand (up to 170 mg/l) has been discharged and is likely to be further discharged from the drains and ponds forming parts of the truck washing facility located on the Premises otherwise than in accordance with a works approval, licence, a requirement contained in a closure notice or a requirement contained in an environmental protection notice, and;
- (b) a condition of pollution has arisen as the waste has caused, or has significantly contributed to, the death of native vegetation, being *Nuytsia floribunda* and *Xanthorrhoea platyphylla* covering an area of approximately 5100 square metres on the Premises and is likely to contaminate ground water both on the Premises and downstream of the Premises,

("the pollution")

REQUIREMENTS OF THIS NOTICE:

The occupier of the Premises who is bound by this Notice is required to do the following to control or abate the condition of pollution and to prevent further pollution from arising:

- 1 Prior to pond four at the Premises being filled with waste water from truck washing operations to a level that may permit discharge from pond four;
 - a. Install an intervention trench at the location depicted on Attachment 1 to a minimum continuous effective depth of 50 centimetres (measured from the existing ground level) and that will intercept and collect all liquid waste surface flow and shallow sub-surface flow discharges from any drains, dams and or other parts of the truck wash facility and prevent the waste from entering other portions of the Premises or the environment via surface flow, and;
 - b. Install an impervious liner to the interception trench required under Condition 1a of the Notice that extends up the sides of the trench to at least 20 centimetres from the base of the trench so that it collects the intercepted water and directs it to an impervious basin that is of a size that will contain at least 1000 litres of liquid and that is inspected at least weekly by a competent person employed by the Shire, and;
 - c. Ensure that liquid waste volumes are limited and controlled such that no discharges occur outside the interception trench and impervious basin as required by Condition 1a and 1b of this notice, and;
 - d. Install an irrigation system, using slotted pipe, connected to the outlet from pond number four to evenly distribute the waste leaving the pond across the length of the top end of the trenched area, and;
 - e. Ensure that all wastewater from the outlet pipe of the solid waste separator sump, is directed into pond number 1 or an otherwise imperviously lined area which will not overflow, to the effect that the raw wastewater is not able to gain access to the environment.

- 2 Prior to 0900 hours (9.00am) on 31 January 2013:
 - a. Cease to cause or allow the discharge of liquid waste or manure from any part of the truck wash facility at the Premises via surface flow or soakage into the soil either on the Premises or elsewhere unless authorised in accordance with a works approval, licence, a requirement contained in a closure notice or a requirement contained in an environmental protection notice.



ALAN SANDS
DIRECTOR ENVIRONMENTAL REGULATION DIVISION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
5 JUNE 2012



ROBERT ATKINS
DEPUTY DIRECTOR GENERAL ENVIRONMENT
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
5 JUNE 2012

IMPORTANT NOTE: A PERSON WHO IS BOUND BY THIS NOTICE AND WHO DOES NOT COMPLY WITH THIS NOTICE COMMITS AN OFFENCE.

A person who is aggrieved by a requirement contained in this Notice may within 21 days of being given this Notice lodge with the Minister for Environment an appeal in writing setting out the grounds of that appeal.

Any other person who disagrees with a requirement contained in this Notice may within 21 days of the making of that requirement lodge with the Minister for the Environment an appeal in writing setting out the grounds of that appeal.

PENDING THE DETERMINATION OF AN APPEAL REFERRED TO ABOVE THE RELEVANT REQUIREMENTS CONTAINED IN THIS NOTICE CONTINUE TO HAVE EFFECT.

Attachment 1 – Location of interception trench.

