

Environmental Protection Act 1986

Section 65

ENVIRONMENTAL PROTECTION NOTICE

Person to Whom this Notice is Given:

(being the occupier of the Premises described below)

Southern Metropolitan Regional Council
9 Aldous Place
BOORAGOON WA 6154

Premises to Which this Notice Relates

The Regional Resource Recovery Centre (including the Waste Composting Facility and Green Waste Facility) and related stormwater and wastewater treatment and disposal facilities), located at Lot 78 on Plan 2903 and Lot 85 on Plan 2903, 350 Banister Road Canning Vale in Western Australia.

("the Premises") as shown in Figure 1 attached to this Notice.

Definitions

- **Odour Emissions**

“Odour emissions” means those emissions of odour that may potentially emanate from the processes of the Waste Composting Facility and Green Waste Facility and related stormwater and waste water treatment and disposal facilities on the premises.

- **Chief Executive Officer**

‘CEO’ means the Chief Executive Officer of the Department of Environment and Conservation;

‘CEO’ or ‘Department of Environment and Conservation’ for the purpose of correspondence means:

Manager, Industry Regulation
Swan Region
Department of Environment and Conservation
Locked Bag 104
BENTLEY DELIVERY CENTRE WA 6983

Telephone: 9333 7510
Facsimile: 9333 7550

Reason for Which this Notice is Served

This Notice is issued because I suspect on reasonable grounds that:

- (a) There is, or is likely to be, an emission of odour from the processes of the Waste Composting Facility and Green Waste Facility and related storm water and waste water treatment and disposal facilities on the premises (“the emission”).
- (b) The emission has caused or is likely to cause pollution, namely a direct alteration of the environment in Leeming, Canning Vale and/or Willetton: to its detriment or degradation, by the impact of the odours on the amenity of residents, users and occupiers of residential and commercial premises in the areas of Leeming, Canning Vale and Willetton and is likely to further impact on the beneficial use of the environment (“the pollution”).
- (c) I am satisfied that as the Southern Metropolitan Regional Council (“SMRC”) has caused the likelihood of that condition of pollution arising or the arising of that condition of pollution and that the SMRC is the appropriate person to whom to give this Environmental Protection Notice.
- (d) I consider the following requirements of the Notice to be appropriate to prevent that condition of pollution from arising, or to control or abate that condition of pollution, if it arises.

Requirements of this Notice

The occupier of the Premises, who is bound by this Notice, is required to take the following measures, which I consider necessary to investigate the causes and sources of the emission and to abate the emission:

1. Engage a suitably qualified consultant with skills and experience in chemical and process engineering to:
 - (a) carry out a detailed engineering review of all systems and equipment that are related to the emission, prevention and/or control of odour emissions from any part of the Premises (including, but not limited to, air collection systems, air injection systems, air transport and exhaust systems, air handling systems, air ducting systems, bio-filter air inlet and distribution systems, air humidification systems, bio-filter moisture control systems, air handling monitoring systems, door opening and closing systems, negative pressure maintenance and monitoring systems, liquid waste management systems, solid waste receipt and storage systems, waste mixing and processing systems, waste disposal systems, waste transport systems, digester air management systems, green waste handling systems) to identify potential odour emission sources and conditions or operations that could give rise to an emission of odour that might cause pollution from the Premises;
 - (b) identify and assess the feasibility of all reasonably practical potential solutions (including monitoring and/or process control systems) to odour emissions sources identified in (a); and
 - (c) prepare a detailed report on 1(a) to 1(b).

2. Engage a suitably qualified consultant with skills and experience in industrial systems auditing to:
 - (a) carry out an audit and review of all operations, controls, management, maintenance and operator training related to any aspects of the Premises that are related in any way to the prevention or control of odour emissions that might cause pollution from any part of the premises; and
 - (b) prepare a detailed report on 2(a).
3. Provide one original printed copy of both of the reports mentioned in 1 and 2 to the Chief Executive Officer by 13 April 2009.
4. Provide a comprehensive written report, which includes a full implementation plan of action to rectify items identified in the reports on 1 and 2, and the submission of revisions and amendments to internal systems and procedures including, but not limited to, operational, management, maintenance, monitoring and control to the Chief Executive Officer by 28 April 2009.

Robert Atkins

DELEGATED OFFICER UNDER SECTION 20 OF THE *ENVIRONMENTAL PROTECTION ACT 1986*

24 February 2009

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 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.

