

Environmental Protection Act 1986

Section 65

ENVIRONMENTAL PROTECTION NOTICE

PERSON TO WHOM THIS NOTICE IS GIVEN:

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

Oil Energy Corporation Pty Ltd (ACN: 051 676 067)
41 Stirling Highway
NEDLANDS
WESTERN AUSTRALIA 6009

PREMISES TO WHICH THIS NOTICE RELATES:

The Oil Energy Corporation Pty Ltd facility located at 20 Schillaman Street, Wedgefield in Western Australia and being more particularly described as:

Lot 5857 on Plan 191016, being the whole of the land.

("the Premises")

REASON FOR WHICH THIS NOTICE IS SERVED:

This notice is issued because I suspect on reasonable grounds that there is likely to be an emission from the premises, and the emission is likely to cause pollution namely;

- (i) a direct alteration of the environment to its detriment or degradation, by the contamination of the atmosphere with odorous gas and vapours; and
- (ii) to the detriment of an environmental value, being the beneficial use of surrounding areas for residential and other purposes.

("the pollution")

REQUIREMENTS OF THIS NOTICE:

The owner and 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 and the pollution:

1. Upon receipt of this notice you shall cease the incineration of all wastes other than waste oil, waste oil sludge, grease, drilling mud, drilling fluids, diesel, paint, paint thinners and soil contaminated with these materials as outlined in condition 2 of this notice.
2. Incineration of waste oil, waste oil sludge, grease, drilling mud, drilling fluids, diesel, paint, paint thinners and soil contaminated with these materials may be undertaken up to and including Monday 10 January 2011.
3. After Monday 10 January 2011 as allowed for in condition 2, the incineration of waste oil, waste oil sludge, grease, drilling mud, drilling fluids, diesel, paint, paint thinners and soil contaminated with these materials must be undertaken in accordance with the certified management system as required by condition 4 of this notice.
4. Prior to the incineration of waste oil, waste oil sludge, grease, drilling mud, drilling fluids, diesel, paint, paint thinners and soil contaminated with these materials as allowed for in condition 3 of this notice;
 - (a) engage independent consultants qualified in chemical and process engineering to audit the documented management system for the receipt, sampling, processing and incineration of waste oil, waste oil sludge, grease, drilling mud, drilling fluids, diesel, paint, paint thinners and soil contaminated with these materials;
 - (b) have the management system outlined in (a) certified by the independent consultants qualified in chemical and process engineering as appropriate in meeting and complying with the conditions of licence 6789/1994/12; and
 - (c) provide the certified management system as outlined in (a) and (b) to the Chief Executive Officer no later than 48 hours prior to the commencement of incineration of waste oil, waste oil sludge, grease, drilling mud, drilling fluids, diesel, paint, paint thinners and soil contaminated with these materials as outlined in condition 3 of this notice.
5. Engage suitably qualified independent consultants with skills and experience in chemical and process engineering and industrial system auditing to:
 - (a) carry out a detailed engineering and process review of all systems, procedures, processes and equipment that are related

to the emission, prevention and/or control of emissions from any part of the Premises including but not limited to, waste acceptance, waste storage, waste batching, waste sampling, waste processing, waste incineration, wastewater management, and stack testing under operational loading to identify conditions or operations that may result in an unreasonable emission that may cause pollution from the premises and to identify potential emission sources;

- (b) carry out a system audit and review of all operations, controls, management systems, equipment, maintenance and operator training related to any aspect of the waste management operations of the Premises that are related in any way to the prevention or control of emissions that may cause pollution or an unreasonable emission from any part of the premises;
 - (c) assess the reviews required by condition 5(a) and (b) and identify and propose practical solutions (including system processes, equipment upgrades and continuous emissions monitoring) to ensure emissions from the premises from the incineration of wastes do not cause pollution or unreasonable emissions beyond the premises boundary; and
 - (d) prepare a detailed report certified by the independent consultants on the reviews required by condition 5 (a) and (b) and their assessment and proposed practical solutions as required by condition 5 (c).
6. Provide one original printed copy of the certified report required by condition 5 (d) of this notice to the Chief Executive Officer by noon, 11 March 2011.
7. Provide a comprehensive written report by 4pm, 25 March 2011 to the Chief Executive Officer for his approval, which;
- a) includes a full implementation plan including timelines of equipment upgrades required to rectify items identified in the report required by condition 5 of this notice; and
 - b) includes a full implementation plan including timelines of revisions and amendments to internal systems and procedures including, but not limited to operational, management, maintenance, monitoring and control systems identified in the report required by condition 5 of this notice; and
 - c) identifies what waste types at which point of the implementation plan may again commence to be incinerated at the premises complying with the conditions of licence 6789/1994/12 and that do not cause pollution or unreasonable emissions beyond the premises boundary; and
 - d) is endorsed by the Chief Executive Officer of Oil Energy Corporation Pty Ltd and a Director of Oil Energy Corporation Pty Ltd.

8. The report required by condition 7 of this notice when approved by the Chief Executive Officer is to be implemented.



Robert Atkins
DEPUTY DIRECTOR GENERAL ENVIRONMENT
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
8 NOVEMBER 2010

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.