

Sydney Program Alliance

Works Package 12

Pollution Incident Response Management Plan Summary

DOCUMENT CONTROL

APPROVAL AND AUTHORISATION

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1. Introduction

1.1. Background

This Pollution Incident Response Management Plan (PIRMP or the Plan) has been prepared by Sydney Program Alliance (SPA) to identify and manage the risk of pollution incidents and facilitate a coordinated management response to pollution incidents during the construction of the critical utility relocation, installation and protection (CUT) (Stage 1A) of the Western Harbour Tunnel and Warringah Freeway Upgrade Project (the Project).

The Plan has been prepared in accordance with the Environment Protection Authority (EPA) Guideline: Pollution Incident Response Management Plans 2020 (the PIRMP Guidelines), as evidenced in Appendix A. This document has also been prepared to align with the Roads and Maritime Services “Environmental Incident Classification and Reporting Procedure” (November 2018) under which environmental incidents on the Project are to be managed and reported in accordance with.

This PIRMP document has been developed to satisfy requirements of the *Protection of the Environment Operations Act 1997* (POEO Act) and covers the Project premises under which the Environment Protection Licence (EPL) 21528 obtained for the Scheduled Activity “Road Construction” (<50,000T ; 0-10 kilometres).

The specific requirements for PIRMP are set out in Part 5.7A of the POEO Act and the Protection of the Environment Operations (General) Regulation 2009 (POEO (G) Regulation). These requirements were introduced through Protection of the Environment Operations (General) Amendment (Pollution Incident Response Management Plans) Regulation 2012.

The general requirement is to prepare, keep, test and implement a pollution incident response management plan. A summary of the specific requirements outlined in the legislation are:

- Holders of an EPL must prepare a PIRMP (Section 153A, POEO Act)
- The Plan must include the information detailed in the POEO Act (Section 153C) and be in the form required by the POEO (G) Regulation (clause 98B)
- Licensees must keep the Plan at the premises to which the EPL related or in the case of trackable waste transporters and mobile plant, where the relevant activity takes place (Section 153D, POEO Act)
- Licensees must test the Plan annually in accordance with the POEO (G) Regulation (Clause 98E)
- If a pollution incident occurs in the course of an activity so that material harm to the environment is caused or threatened, licensees must immediately implement the Plan (Section 153F, POEO Act)
- If a pollution incident occurs during the course of Project activities so that material harm to the environment is caused or threatened, licensees will immediately implement the plan (Section 153F, POEO Act).

1.2. Objectives

The primary purpose of the Plan is to identify and manage the risk of pollution incidents, plan the Project response to pollution incidents, and facilitate coordination with the relevant authorities.

The objectives of the Plan are to:

- Minimise and control the risk of a pollution incident at the premises of the Project through the early identification of risks and the development of planned actions to minimise and manage those risks
- Ensure timely communication about pollution incidents to construction personnel, the EPA, relevant response agencies/authorities and the community who may be affected by the impacts of a pollution incident

- Ensure that the Plan is properly implemented by trained staff, identifying persons responsible for implementing it, and ensuring that the Plan is regularly tested for accuracy, currency and suitability.

2. Pollution incidents that are to be notified

A pollution incident is considered notifiable under the POEO Act if there is a risk of causing or threatening “material harm to the environment”. “Material harm to the environment” 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.

A pollution incident that threatens or causes material harm to the environment requires immediate notification to the EPA and appropriate regulatory authorities (ARA). Each of the following response agencies needs to be notified of pollution incidents immediately in the following order, so that action can be coordinated to prevent or limit harm to the environment and human health generally:

- Appropriate regulatory authority (ARA)
- Environment Protection Authority (EPA) if they are not the ARA
- NSW Ministry of Health, local Public Health Unit
- WorkCover NSW
- North Sydney Council if they are not the ARA
- Fire and Rescue NSW.

Pollution incidents that could potentially occur at a construction site and are covered by this Plan include:

- Material, such as waste material, concrete, fuels etc, that travel beyond the site boundary causing or potentially causing adverse impact to the environment or community
- Discharge of waters from site not in accordance with the requirements of the Project EPL.

Incidents are that are not considered to threaten or cause material environmental harm will be recorded and reported in accordance with client and/or organisational requirements as outlined in the CEMP.

3. Incident Response Procedure

The PIRMP will be activated if a pollution incident occurs that causes or threatens material environmental harm. This activation process will include the SPA Environment Manager and the Project Manager. The actions immediately following an incident will depend on the pollution incident type and severity. All contaminated material would be disposed of through specialist waste contractors. The following steps will be followed in line with TfNSW Environmental Incident Classification and Reporting procedure.

3.1. Notifying a pollution incident that causes or threatens material environmental harm to regulatory authorities and the community

In the event of an incident, appropriate regulatory authorities must be immediately notified with the required information; emergency services and community stakeholders may also require notification in the event that there is an unacceptable impact to the community from the pollution incident.

3.1.1 Relevant Regulatory Authorities

If the SPA Environment Manager determines the pollution incident meets the notifiable criteria that the pollution incident “causes or threatens to cause material harm to the environment”, the SPA Environment Manager in consultation with the Project Manager will immediately notify the appropriate regulatory authorities listed below.

- The appropriate regulatory authority (ARA) for the activity under the POEO Act (usually the EPA or local authority) – the local authority is a local council of an area under the Local Government Act 1993)
- The EPA, if it is not the ARA
- The Ministry of Health via the local Public Health Unit (Camperdown Public Health Unit)
- SafeWork NSW
- Local Authority (i.e. North Sydney Council) if it is not the ARA
- Fire and Rescue NSW (if the situation warranted calling 000 as a first point of notification, you do not need to ring Fire and Rescue NSW again.)

Contact details are provided below:

Relevant Regulatory Authorities and Agencies	Phone (24 hours unless specified)
Emergency Services if the incident presents an immediate threat to human health or property (Police, Fire & Rescue, Ambulance, HAZMAT)	000
NSW EPA	131 555
NSW Health – Public Health Unit – Northern Sydney Local Health District	1300 066 055
Fire and Rescue NSW	Standard hours: (02) 9265 2999 After hours: 000
North Sydney Fire Station	(02) 9436 2021
SafeWork NSW	131 050
North Sydney Council	Standard hours: (02) 9936 8100

As required by POEO (G) Regulation clause 101, a pollution incident that is required to be notified under section 148 of the POEO Act will be notified verbally to each regulatory authority, and followed by written notification within 7 days of the date on which the incident occurred. If information becomes

known between the immediate notification given verbally and the time when written notification is required to be given, that new information will be required to be notified immediately after it becomes known and to be included in the written notification.

As required in section 148 of the POEO Act, the Condition of Approval A41 and the Roads and Maritime Environmental Incident Classification and Reporting Procedure, the following information will need to be collected to communicate during immediate EPA, ARA and authority notification as well as for inclusion in follow up reporting required in the event of a pollution incident:

- a) the time, date, nature, duration and location of the incident
- b) the location of the place where pollution is occurring or is likely to occur
- c) the nature, the estimated quantity or volume and the concentration of any pollutants involved, if known
- d) the circumstances in which the incident occurred (including the cause of the incident, if known)
- e) the action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known
- f) other information prescribed by the regulations.

A record of information provided during notification of pollution incidents in accordance with this Plan will be recorded on the external communication summary worksheet.

If the information required to be included in a notice of a pollution incident from points (c), (d) or (e) is not known to the person making the initial notification but becomes known afterwards, that information must be notified in accordance with section 148 immediately after it becomes known.

3.1.2 Community Stakeholders

Definition of Community Stakeholders

As identified in the CCS, community stakeholders relevant to the area surrounding the Project include:

- Adjacent and nearby residents and occupiers of commercial premises
- All road users, motorists and pedestrians (for instances where the incident results in a hazard to motorists)
- Occupiers of special use buildings such as hospitals, shopping centres, day care centres and schools
- Users of recreational and special use facilities such as ovals, parks, waterways, and entertainment facilities
- Users of waterways for recreational purposes or commercial purposes.

Key community stakeholders in close proximity to the project which may be notified in the event of a pollution incident that threatens or cause environmental harm include:

- Government Agencies
- North Sydney Council
- Local Community (impacted residents and landowners)
- Adjacent and surrounding businesses
- Recreational Clubs
- Schools and day care centres
- Health Facilities
- Emergency Services
- Indigenous Groups
- The Project team and parent organisations
- Adjacent infrastructure projects.

Community Stakeholder Notification Triggers

Community stakeholder notification is required for incidents or events from the Project which:

- Will result in an unacceptable impact to community stakeholders during the incident (where community stakeholders are present (e.g. residing in their houses or using adjacent recreational facilities at the time of the incident))
- Will result in an unacceptable impact to a community area that is to be used by community members in the days and weeks following the incident. These community stakeholders may not be present during the incident but might be present in the following days.

The SPA Environment Manager in consultation with the Community Manager will determine whether the pollution incident triggers the stakeholder notification process. The SPA Community Manager will initiate and coordinate the notification process.

The determination of community notification is dependent upon the type, intensity and potential of impact to the community. An unacceptable impact is defined as one which has the potential to adversely affect the health of a member of the community. This takes into consideration immediate health impacts (that occur during the incident) and health risks in the period following the incident.

Community Stakeholder Notification Process

Should community notification be required, the following actions shall be taken where appropriate and safe to do so:

- Community stakeholders will be contacted either face to face or by telephone to advise the stakeholder of the incident with recommended actions (that the community stakeholder can take to prevent or minimise harm, for example close windows, evacuate buildings, not to drink or swim in watercourses etc).
- Further follow up communications will be undertaken as directed by the SPA Community Manager. This may include but not be limited to:
 - Further face to face / telephone contact
 - Letterbox drops
 - Email
 - Update to Project website
 - Providing protective fencing and barricading to prevent community stakeholders from entering into a polluted area
 - Use of technology such as Variable Message / Motorway signage
 - Local Media – Radio / TV if required.

The Project team will use a combination of the above mechanisms to ensure that relevant community messages are quickly and effectively distributed amongst the affected community. Early warnings for affected or potentially affected community members for any pollution incident will be communicated to those members in consultation with relevant authorities. The means of communication will vary based on the size and severity of the pollution incident. SPA will provide regular updates of any pollution incidents either via letterbox drop, notices in local papers and/or via door knocks, use of variable message signs, and local radio as required in consultation with relevant authorities.

It is likely that during the notification process, the incident will likely be under the control of emergency services personnel. In such an event the SPA Environment Manager and Community Manager will provide all the necessary assistance to the incident controller including access to the Project's community notification tools and community & stakeholder register as outlined in the CCS.

For air pollution incidents that may affect community members, those community members may be asked to either close their doors and windows and stay indoors until further notice or to vacate the premises. For water pollution incidents that may affect community members, those community members may be asked to avoid use of the water until further notice. To assist in the areas that would

be affected by a pollution incident sensitive receives such as schools, local government and national parks have been identified in sub-catchment areas, see Appendix B.