



ENVIRONMENT PROTECTION NOTICE No. 11880/1

Issued under the *Environmental Management and Pollution Control Act 1994*

Issued to: **REPROCESS TAS PTY LTD**
ACN 639 418 429
LEVEL1, 160 COLLINS STREET
HOBART TAS 7000

Environmentally Relevant Activity: **The operation of a waste reprocessing and storage facility (ACTIVITY TYPE: EPN only)**
20 & 42 SCOTTS ROAD
RISDON VALE TAS 7016

GROUND

I, #NAME_AND_TITLE, being satisfied in accordance with section 44(1)(a) and (e) of the *Environmental Management and Pollution Control Act 1994* (EMPCA) that in relation to the above-mentioned environmentally relevant activity that:-

serious or material environmental harm or environmental nuisance is being, or is likely to be, caused; and

it is necessary to secure compliance with the general environmental duty,

hereby issue this environment protection notice to the above-mentioned person as the person responsible for the activity.

PARTICULARS

The particulars of the grounds upon which this notice is issued are:

DEFINITIONS

Unless the contrary appears, words and expressions used in this Notice have the meaning given to them in Schedule 1 of this Notice and in the EMPCA. If there is any inconsistency between a definition in the EMPCA and a definition in this Notice, the EMPCA prevails to the extent of the inconsistency.

REQUIREMENTS

The person responsible for the activity must comply with the conditions as set out in Schedule 2 of this Notice.

INFORMATION

Attention is drawn to **Schedule 3**, which contains important additional information.

PENALTIES

If a person bound by an environment protection notice contravenes a requirement of the notice, that person is guilty of an offence and is liable on summary conviction to a penalty not exceeding 1000 penalty units in the case of a body corporate or 500 penalty units in any other case (at the time of issuance of this Notice one penalty unit is equal to \$195.00).

NOTICE TAKES EFFECT

This notice takes effect on the date on which it is served upon you.

APPEAL RIGHTS

You may appeal to the Appeal Tribunal against this notice, or against any requirement contained in this notice, within fourteen days from the date on which the notice is served. The Appeal Tribunal contact details are:

Registry
Tasmanian Civil & Administrative Tribunal
GPO Box 1311
Hobart TAS 7001

Phone: 1800 657 500
Email: resourceplanning@tascat.tas.gov.au

Signed: _____

#AUTHORISING_TITLE

Date: _____

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Schedule 1: Definitions

Activity means any environmentally relevant activity (as defined in Section 3 of EMPCA) to which this document relates, and includes more than one such activity.

Authorized Officer means an authorized officer under section 20 of EMPCA.

Director means the Director, Environment Protection Authority holding office under Section 18 of EMPCA and includes a delegate or person authorised in writing by the Director to exercise a power or function on the Director's behalf.

EMPCA means the *Environmental Management and Pollution Control Act 1994*.

Environmental Harm and **Material Environmental Harm** and **Serious Environmental Harm** each have the meanings ascribed to them in Section 5 of EMPCA.

EPA Board means the Board of the Environment Protection Authority established under section 13 of EMPCA and includes a delegate or person authorised in writing by the EPA Board to exercise a power or function on the EPA Board's behalf.

Information Bulletin No. 105 means the document titled *Information Bulletin No. 105 - Classification and Management of Contaminated Soil for Disposal*, Version 3, 2018, by the EPA, and includes any subsequent version of this document.

Landfill means a waste depot as described in Schedule 2 of EMPCA.

Noise Measurement Procedures Manual means the document titled *Noise Measurement Procedures Manual*, by the Department of Environment, Parks, Heritage and the Arts, dated July 2008, and any amendment to or substitution of this document.

Pollutant has the meaning ascribed to it in Section 3 of EMPCA.

Weed means a plant species that has, or is likely to have, an adverse impact on the environment because of the introduction, spread or increase in population size of the species in an area; and includes a declared weed as defined in the *Biosecurity Act 2019* and subordinate regulations.

Schedule 2: Conditions

General

Schedule 3: Information

Legal Obligations

- LO1 EMPCA**
The activity must be conducted in accordance with both the conditions in this document and the obligations of the *Environmental Management and Pollution Control Act 1994* (EMPCA) and subordinate regulations. The conditions of this document do not replicate legislated obligations; therefore, you should ensure you are aware of your obligations under EMPCA and subordinate regulations.
- LO2 Change of responsibility**
If the person responsible for the activity ceases to be responsible for the activity, they must notify the Director in accordance with Section 45 of the EMPCA.
- LO3 Waste and Resource Recovery Act 2022 obligations**
The activity may be a prescribed a Landfill or Resource Recovery Facility under the *Waste and Resource Recovery Act 2022* and must comply with reporting and obligations under that legislation.

Other Information

- OI1 Notification of incidents under section 32 of EMPCA**
Where a person is required by section 32 of EMPCA to notify the Director of the release of a pollutant, the Director can be notified by telephoning **1800 005 171** (a 24-hour emergency telephone number).
- OI2 Fees payable**
Under the provisions of the EMPCA and Regulations thereunder, the Director may require the person on whom this Notice is served to pay reasonable costs and expenses for the issuing of the Notice, making any amendments to the Notice and for ensuring compliance with the Notice.
- OI3 Release of Relevant Information**
Under the provisions of Section 23AA of EMPCA relevant information relating to monitoring of environmental impacts required under these conditions may be subject to publishing or public release by the Director.