

FREEDOM FOODS GROUP LIMITED

NSW Pollution Incident Response Management Procedure

Purpose and Scope

Why is this important?

The NSW Pollution Incident Response Management Procedure (the PIRM Procedure) has been prepared by Freedom Foods Group Limited (FFGL) to disseminate how FFGL deploys pollution incidents response and communicates with workers and other stakeholders (including relevant authorities and the public) who may be affected by the impacts of a pollution incident. This document also provides guidance on the information required to be published by FFGL.

The PIRM Procedure provides an overarching framework for NSW sites to augment their site specific incident/emergency documentation. Furthermore, the Protection of the Environment Legislation Amendment Act 2011 (POELA Act), requires holders of an Environment Protection Licence (EPLs) to prepare and implement a Pollution Incident Response Management Plan (PIRMP).

Under Part 5.7A of the Protection of the Environment Operations Act 1997 (POEO Act) and the Protection of the Environment Operations (General) Regulation 2009 (POEO General Regulation), the specific requirements for preparing, keeping, testing and implementing a PIRMP, for FFGL NSW facilities with EPLs, are covered by site specific incident and emergency response documentation, which incorporate the PIRMP. These provide guidance for minimising and controlling the risk of a pollution incident, through the appropriate identification of hazards and development of controls to mitigate these and assign responsibility for its suitable implementation.

Who does it apply to?

The requirements of this Procedure apply to all FFGL entities across NSW.



Governance, Roles and Responsibilities

FFGL has set out the roles and responsibilities to ensure the approach to this document and its implementation are fulfilled. The following specific roles and responsibilities for communicating pollution incident have been identified (refer Table 2).

Freedom Foods Group Limited - FFGL	FFGL Group outlines the policies and procedures which are to be adhered to, in addition to legislative requirements, when reporting pollution incidents and/or implementing PIRM Procedure requirements
Executive Team Member	An Executive Team Member has the responsibility of ensuring the identification and mitigation of risks specific to their business units are being undertaken and appropriately documented
Group Head Safety & Compliance Management	The Safety & Compliance Management have the authority to authorise the dissemination of information to stakeholders, following approval of an Executive Team Member, via the means of telephone calls, electronic mails, WH&S alerts, upload of communications messages to the FFGL company website or other suitable mechanism Where notified of a pollution incident, it is the duty of Group Head Safety & Compliance Management to notify each relevant authority of the incident and all relevant information about it.
Line Manager/Supervisor	It is the responsibility of the Line Manager/Supervisor to determine the requirement and extent of community notification for potential pollution incidents. Where incident notifications are to be placed on the website, approval must be sought from Management.
Worker	It is the responsibility of all workers (including subcontractors), immediately after the person becomes aware of the pollution incident, to notify their Line Manager/Supervisor of the incident and all relevant information about it.

Notification Protocol

When notification is required Pollution incidents are required to be reported 'immediately' to relevant authorities, meaning promptly and without delay. The requirement to report pollution incidents immediately to relevant authorities enables the management of incidents in a faster time, as well as providing early warnings (and any necessary updates) to potential affected parties.

A 'pollution incident' means an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. A pollution incident is required to be notified if there is a risk of material harm to the environment.

Under section 147 of the POEO Act, 'material harm to the environment' is defined 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.

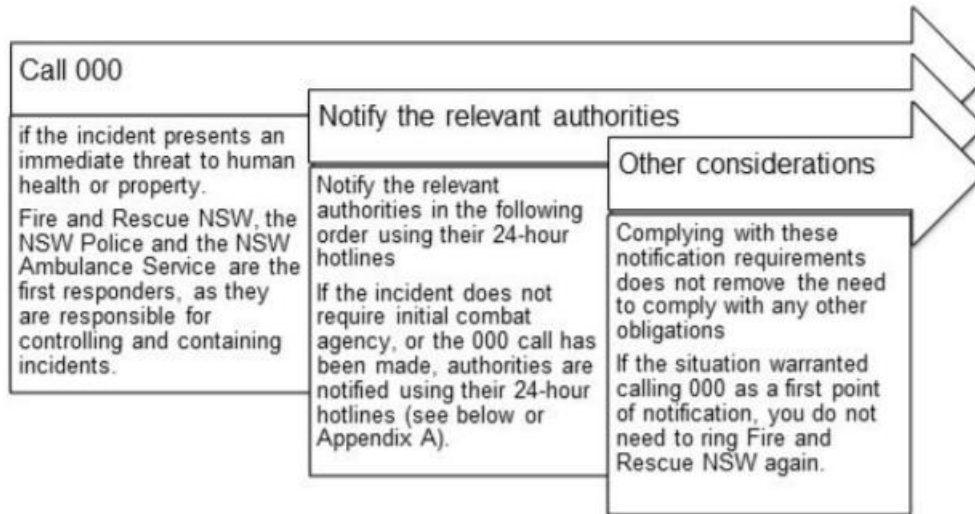
Who is to be notified?

The relevant authorities under section 148 of the POEO Act mean any of the following:

- (a) the appropriate regulatory authority (for the activity under the POEO Act, usually EPA or local authority such as the council),
- (b) the Environment Protection Authority (EPA) (if not the appropriate regulatory authority),
- (c) the local authority for the area in which the pollution incident occurs (if the EPA is the appropriate regulatory authority in [a]),
- (d) the Ministry of Health (or the local public health unit, refer Appendix A),
- (e) the WorkCover Authority (now SafeWork NSW),
- (f) Fire and Rescue NSW Figure 1 describes the protocol for industry notification of pollution incidents, with the contact details of the relevant authorities. Other relevant authorities may include, but are not limited to, the NSW Department of Planning and Environment, Roads and Maritime Services, Water NSW etc, as well as clients, neighbours and/or land owners of the premises on which FFGL operates



Figure 1 Pollution Incident Notification Protocol



**The appropriate contacts for the the Ministry of Health via the relevant Public Health Unit and relevant local authorities for FFGL NSW sites are provided in Appendix A, as well as the Incident and Emergency Response documentation prepared for each premises.*

Communication Mechanisms

will be used where neighbours and/or the local community may be affected by the incident, including but not limited to:

- ✓ Website
- ✓ telephone notification and/or emails
- ✓ signage
- ✓ letterbox drops
- ✓ door knocking

What is to be notified

Notification of pollution incidents to authorities require verbal notification, and where requested to do so, followed by written notification under section 148 and 150 of the POEO Act. The relevant information to be provided should consist of the following:

- (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.

Important Numbers:

EPA – Environment Line 131 555

SafeWork NSW 13 10 50

Fire and Rescue NSW 1300 729 579

Pollution Incident Response Process

The specific requirements of a PIRMP are set out in legislative instruments (refer Section: Reference and Related Documents) with provisions as detailed in Table 2.

- **PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997**

Table 2 PIRMP Requirements to comply with the Protection of the Environment Operations Act (POEO)

Provision	Requirement	How FFGL Complies
POEO Act (section 153A)	All holders of environment protection licences must prepare a pollution incident response management plan	All FFGL NSW sites that have an EPL, have a PIRMP incorporated in their Incident and Emergency Response documentation.
POEO Act (section 153C) POEO General Regulation (clause 98B)	The plan must include the information detailed in the ACT and be in the form required by the Regulation	As per the information provided in Table 3, each licensed site's incident and emergency documentation stipulates how this requirement is met.
POEO Act (section 153D)	Licensees must keep the plan at the premises to which the environment protection licence relates or, in the case of trackable waste transporters and mobile plant, where the relevant activity takes place	Noted, the relevant incident and emergency response documentation per site or activity are kept at the Premises
POEO General Regulation (clause 98E)	Licensees must test the plan in accordance with the Regulation	Annual emergency drills are undertaken at FFGL sites where the incident and emergency documentation, which incorporate the PIRMP, are tested for currency and adequacy.
POEO Act (section 153F)	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	This PIRMP procedure and supporting site specific Incident and Emergency documentation provides FFGL personnel with the relevant guidance with which to implement the PIRMP.



Table 3 PIRMP Structure

Provision	Pollution Incident Response Management Plan Reference
Description and likelihood of hazards [clause 98C (1)(a) and (b)]	<p>Each FFGL NSW facility has a site specific risk register and Operational/Site Management Plan, which combined contain:</p> <ul style="list-style-type: none"> ● Identified significant environmental aspects and impacts ● Potential hazard and impacts ● Inherent (before taking existing controls into account) risk level for each impact ● Hierarchy of controls to be implemented ● Residual (after taking existing controls into account) risk level for each impact <p>Where high or extreme residual risks have been identified on site, these have been signed appropriate controls as detailed in the register and/or operational/site management plan or a facility specific Environmental Management Plan e.g. Bulk Chemicals.</p> <p>Should any other such risk be identified they will be escalated to the attention of the site (and FFGL senior management) and dealt with in accordance with the FFGL Management procedures.</p>
Pre-emptive actions to be taken [clause 98C(1)(c)]	Pre-emptive actions are detailed in site specific risk registers and are referred to as Controls, with appropriate supporting procedures referenced in site specific Operational/Site Management Plans.
Inventory of pollutants [clause 98C(1)(d) and (e)]	A full list of the bulk chemicals, their storage quantities and locations are detailed in site specific Hazardous Substances and Dangerous Goods Manifests stored in ChemAlert
Safety equipment [clause 98C(1)(f)]	FFGL NSW sites are equipped with safety devices such as safety showers, chemical decontamination kits, breathing equipment, first aid stations, spill kits, etc. Where



	<p>additional PPE is required (eg. chemical suits) the requirements are spelled out in the relevant task-specific work instructions. Safety Data Sheets are located as appropriate on sites in close proximity to the chemical they apply to.</p>
Contact details [clause 98C(1)(g) and (h)]	<p>The names, position titles and 24-hour contact details of key individuals who are responsible for activating the Incident and Emergency Response documentation and managing the responses are detailed within such plans/procedures.</p> <p>The contact details of relevant authorities such as the EPA, the local council, fire and emergency services, as well as other relevant regulatory authorities are also contained in the documentation, in addition to this Procedure.</p>
Communicating with neighbours and the local community [clause 98C(1)(i)]	<p>The mechanisms that will be used for providing early warnings and regular updates to the owners and occupiers of premises who may be affected by a pollution incident occurring on site are detailed in this Procedure.</p>
Minimising harm to persons on the premises [clause 98C(1)(j)]	<p>To minimise the risk of harm to any persons who may be on the premises should an incident occur a number of incident response procedures have been developed. The response procedures detailed in the site specific Incident and Emergency documentation, and include (but not limited to) potential emergencies and incidents such as:</p> <ul style="list-style-type: none"> ● Fire ● Hot Loads (Fire during transit) ● Explosions ● Chemical or Pollutant Spills ● Medical Emergencies ● Rescue Situations ● Bomb/Phone Threats
Maps [clause 98C(1)(k)]	<p>A set of maps and diagrams have been prepared for FFGL NSW sites and are appended to the specific Incident and Emergency Response documentation. The following typical details are included:</p>



	<ul style="list-style-type: none"> ● The location of the premises and the surrounding area that is likely to be affected by a pollution incident; ● The location of potential pollutants on the premises
<p>Actions to be taken during or immediately after a pollution incident [clause 98C(1)(l)]</p>	<p>The site specific Incident and Emergency Response documentation include detailed descriptions of the actions that will be taken immediately after a pollution incident to reduce or control any pollution.</p> <p>In addition, detailed chemical and hazardous material management procedures have been developed. The procedures include spill/emissions response and clean up/remediation instructions.</p> <p>Further information regarding the site's readiness for incidents and emergencies can be found in the site specific Incident and Emergency Response documentation, including the notification requirements, in addition to this Procedure.</p>
<p>Staff training [clause 98C(1)(m)]</p>	<p>All relevant workers are trained in Incident and Emergency management. The training consists of:</p> <ul style="list-style-type: none"> ● Practical component – participation in both desktop and incident; and ● Emergency scenario simulation drills. <p>Training records are to be maintained onsite training databases and/or in the staff personnel folders.</p>

Publishing of Monitoring Results

In accordance with section 66(6) of the POEO Act licensees are required to publish pollution monitoring data that has been collected as a result of a licence condition. This section stipulates the following:

- licensees who undertake monitoring as a result of a licence condition must publish or make available pollution monitoring data within 14 days of obtaining the data and/or receiving a specific request for a copy of the data
- licensees who maintain a website must make the monitoring data related to pollution available in a prominent position on their website
- licensees who do not maintain a website must provide a free of charge copy of the pollution monitoring data on reasonable written request from any person
- the data must be published in accordance with requirements issued in writing by the EPA and this document constitutes those requirements. For the purposes of these requirements, the timeframe for publishing or providing data is 14 working days.

