

POLLUTION ABATEMENT NOTICE

No. 2014/4

(Issued pursuant to section 77 of the *Waste Management and Pollution Control Act*)

Issued to:

Name: Ausco Modular Pty Limited (ACN 010 654 994)
Address: 4 Formation Street, Wacol Qld 4076
Postal Address: PO Box 187, Goodna Qld 4300

In relation to premises: Section 04445 Hundred of Bagot also known as 55 Batten Road, Marrara, Northern Territory.

Reason:

I, Dr William Freeland, delegate of the Northern Territory Environment Protection Authority (NT EPA) pursuant to the *Waste Management and Pollution Control Act* ("the Act"), believe on reasonable grounds that:

1. Ausco Modular Pty Limited is the owner or occupier of Section 04445 Hundred of Bagot ("the premises");
2. The premises is divided into two stages: Stage 1 (Attachment 1) and Stages 2 and 3 (Attachment 2);
3. The premise was subject to an environmental audit in accordance with the *National Environment Protection (Assessment of Contaminated Sites) Measure* resulting in issuing two Statement of Environmental Audits dated 18 February 2014 (Stage 1) and 30 April 2014 (Stages 2 and 3);
4. The audits concluded, amongst other things, that:
 - 4.1 The key potential risk to human health arises from the existence of asbestos material buried in shallow excavations across the site, principally in Stage 1 and a few locations in the eastern portion of Stages 2 and 3;
 - 4.2 The risks to occupiers of the site have been mitigated by the provision of a capping layer; and
 - 4.3 The capping layer will require management to ensure the depths of the capping layer materials remain sustainable in the future; and
5. By reason of the facts above, parts of Stage 1 and Stages 2 and 3 are polluted by the presence of asbestos.

Action Required

1. On and from the date of this notice you must adhere to:
 - 1.1 The Statement of Environmental Audits, dated 18 February 2014 (Stage 1) and 30 April 2014 (Stages 2 and 3), Statement Attachment B, AEC (2014b), Environmental Site Management Plan (ESMP) (as amended from time to time); and
 - 1.2 All requirements and responsibilities under the ESMP, including those related to inspections, monitoring, maintenance, repairs, and management during earthworks;

2. Any proposed amendments to the ESMP (other than typographical change or revisions to formatting or referencing) must be
 - 2.1 Reviewed by a qualified person pursuant to section 68 of the *Waste Management and Pollution Control Act*;
 - 2.2 The qualified person shall confirm in writing that the proposed amendments to the ESMP remains effective in maintaining the capping layer; and
 - 2.3 A copy of this review must be maintained and filed with the ESMP.
 3. Groundwater at the site must not be used for any beneficial purpose.
-

Notice Issued By:



Dr William Freeland

Chairperson

NT Environment Protection Authority

12/5/14
Date

0831
Time

Important Notice

Failure to comply with this notice is an offence under section 80 of the *Waste Management and Pollution Control Act* and may incur significant penalties and/or other statutory action.

This notice takes effect on the date on which it is served upon you. Pursuant to section 108 of the *Waste Management and Pollution Control Act*, **you have the right to apply for a review of the decision to issue you with this Pollution Abatement Notice. If you intend to apply for a review, YOU MUST MAKE AN APPLICATION NOT LATER THAN 7 DAYS after the date you were served with this notice.** For information on how to lodge an application for review, contact the Northern Territory Environment Protection Authority, telephone 8924 4041.

Pursuant to section 112 of the *Waste Management and Pollution Control Act* the person issued with this notice must fulfil certain obligations before selling, leasing, sub-leasing, giving or exchanging land, premises, a vehicle or business which is the subject of this Notice.