

POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN (PIRMP)

WINDELLAMA

June 2018





WINDELLAMA PIRMP

Integrated Management System

HQMIS_ENV_9_PLN_17_v2

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1. Introduction

This Pollution Incident Response Management Plan (**PIRMP**) has been prepared in accordance with the regulatory requirements of the *Protection of the Environment Operations Act, 1997 (POEO Act)* for the Hi-Quality Waste Management Pty Ltd (**Hi-Quality**) Windellama Clay Mine and Landfill (**Windellama Clay Mine and Landfill**) at 2622 Oallen Ford Road, Windellama, NSW.

1.1. Premises Covered

This PIRMP is for the Windellama Clay Mine and Landfill premises, which is licensed by the EPA (EPL No, 10398).

The Windellama Clay Mine produces a range of clay and shale products for the brick making industry and speciality users.

Quarry products include:

- White clay;
- Kaolin; and
- Blue shale

The Windellama Landfill operates as a regional non-putrescible landfill approved and licensed to accept:

- General Solid Waste (Non-Putrescible);
- Asbestos; and
- Tyres

The layout of the Windellama Clay Mine and Landfill and nearby neighbours are outlined on **Figure 1**.



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Figure 1: Windellama Clay Mine and Landfill



2. Pollution Incident Response Management Plan

2.1. Objectives

The POEO Act requires each premises licensed under the POEO Act to prepare, keep, test and implement a PIRMP.

The objectives of a PIRMP are to:

- Ensure comprehensive and timely communication about a pollution incident to staff at the premises, the Environment Protection Authority (EPA), other relevant authorities specified in the POEO Act (such as local councils, NSW Ministry of Health, SafeWork NSW, and Fire and Rescue NSW) and people outside the facility who may be affected by the impacts of the pollution incident;
- Minimise and control the risk of a pollution incident at the facility by requiring identification of risks and the development of planned actions to minimise and manage those risks; and
- 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.

2.2. Regulatory Requirements

2.2.1. POEO Act

Part 5.7A of the POEO Act requires the following:

Part 5.7A Duty to prepare and implement pollution incident response management plans

153A Duty of licence holder to prepare pollution incident response management plan

The holder of an environment protection licence must prepare a pollution incident response management plan that complies with this Part in relation to the activity to which the licence relates.

Maximum penalty:

- (a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or*
- (b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.*

153B EPA may direct other persons to prepare pollution incident response management plan

(1) The EPA may, in accordance with the regulations, require the occupier of premises at which industry is carried out to prepare a pollution incident response management plan that complies with this Part in relation to activities at the premises.

(2) A person must not fail to comply with such a requirement.

Maximum penalty:



- (a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or
- (b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.

- (3) The regulations may make provision for or with respect to:
- (a) the class or classes of premises, or industries carried out at premises, that may be the subject of a requirement to prepare a pollution incident response management plan, and
 - (b) the circumstances in which some or all premises within those classes may be the subject of a requirement to prepare a pollution incident response management plan.

153C Information to be included in plan

A pollution incident response management plan must be in the form required by the regulations and must include the following:

- (a) the procedures to be followed by the holder of the relevant environment protection licence, or the occupier of the relevant premises, in notifying a pollution incident to:
 - (i) the owners or occupiers of premises in the vicinity of the premises to which the environment protection licence or the direction under section 153B relates, and
 - (ii) the local authority for the area in which the premises to which the environment protection licence or the direction under section 153B relates are located and any area affected, or potentially affected, by the pollution, and
 - (iii) any persons or authorities required to be notified by Part 5.7,
- (b) a detailed description of the action to be taken, immediately after a pollution incident, by the holder of the relevant environment protection licence, or the occupier of the relevant premises, to reduce or control any pollution,
- (c) the procedures to be followed for co-ordinating, with the authorities or persons that have been notified, any action taken in combating the pollution caused by the incident and, in particular, the persons through whom all communications are to be made,
- (d) any other matter required by the regulations.

153D Keeping of plan

A person who is required to prepare a pollution incident response management plan under this Part must ensure that it is kept at the premises to which the relevant environment protection licence relates, or where the relevant activity takes place, and is made available in accordance with the regulations.

Maximum penalty:

- (a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or
- (b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.

153E Testing of plan

A person who is required to prepare a pollution incident response management plan under this Part must ensure that it is tested in accordance with the regulations.

Maximum penalty:

- (a) in the case of a corporation—\$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues, or
- (b) in the case of an individual—\$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues.

153F Implementation of plan



If a pollution incident occurs in the course of an activity so that material harm to the environment (within the meaning of section 147) is caused or threatened, the person carrying on the activity must immediately implement any pollution incident response management plan in relation to the activity required by this Part.

Maximum penalty:

- (a) in the case of a corporation—\$2,000,000 and, in the case of a continuing offence, a further penalty of \$240,000 for each day the offence continues, or*
- (b) in the case of an individual—\$500,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues.*

2.2.2. POEO Regulations

Part 3A of the *POEO (General) Regulation 2009 (POEO (G) Reg)* requires the following:

Part 3A Pollution incident response management plans

98A Definition

In this Part:

plan means a pollution incident response management plan required to be prepared under Part 5.7A of the Act.

98B Form of plan

- (1) A plan is to be in written form.*
- (2) A plan may form part of another document that is required to be prepared under or in accordance with any other law so long as the information required to be included in the plan is readily identifiable as such in that other document.*

98C Additional matters to be included in plan

(1) General

The matters required under section 153C (d) of the Act to be included in a plan are as follows:

- (a) a description of the hazards to human health or the environment associated with the activity to which the licence relates (the relevant activity),*
- (b) the likelihood of any such hazards occurring, including details of any conditions or events that could, or would, increase that likelihood,*
- (c) details of the pre-emptive action to be taken to minimise or prevent any risk of harm to human health or the environment arising out of the relevant activity,*
- (d) an inventory of potential pollutants on the premises or used in carrying out the relevant activity,*
- (e) the maximum quantity of any pollutant that is likely to be stored or held at particular locations (including underground tanks) at or on the premises to which the licence relates,*
- (f) a description of the safety equipment or other devices that are used to minimise the risks to human health or the environment and to contain or control a pollution incident,*
- (g) the names, positions and 24-hour contact details of those key individuals who:
 - (i) are responsible for activating the plan, and*
 - (ii) are authorised to notify relevant authorities under section 148 of the Act, and*
 - (iii) are responsible for managing the response to a pollution incident,**
- (h) the contact details of each relevant authority referred to in section 148 of the Act,*



- (i) details of the mechanisms for providing early warnings and regular updates to the owners and occupiers of premises in the vicinity of the premises to which the licence relates or where the scheduled activity is carried on,*
- (j) the arrangements for minimising the risk of harm to any persons who are on the premises or who are present where the scheduled activity is being carried on,*
- (k) a detailed map (or set of maps) showing the location of the premises to which the licence relates, the surrounding area that is likely to be affected by a pollution incident, the location of potential pollutants on the premises and the location of any stormwater drains on the premises,*
- (l) a detailed description of how any identified risk of harm to human health will be reduced, including (as a minimum) by means of early warnings, updates and the action to be taken during or immediately after a pollution incident to reduce that risk,*
- (m) the nature and objectives of any staff training program in relation to the plan,*
- (n) the dates on which the plan has been tested and the name of the person who carried out the test,*
- (o) the dates on which the plan is updated,*
- (p) the manner in which the plan is to be tested and maintained.*

(2) Trackable waste transporters

Subclause (1) does not apply in relation to a licence to the extent that the licence authorises the transport of trackable waste as referred to in clause 48 of Schedule 1 to the Act. In the case of such a licence, the matters required under section 153C (d) of the Act to be included in a plan relating to the transport of trackable waste are as follows:

- (a) the names, positions and 24-hour contact details of those key individuals who:
 - (i) are responsible for activating the plan, and*
 - (ii) are authorised to notify relevant authorities under section 148 of the Act, and*
 - (iii) are responsible for managing the response to a pollution incident,**
- (b) the contact details of each relevant authority referred to in section 148 of the Act,*
- (c) a community engagement protocol that includes procedures for notifying people living or working in the vicinity of a pollution incident and keeping them informed of relevant matters,*
- (d) details of the pre-emptive action to be taken to minimise or prevent any risk of harm to human health or the environment arising out of that activity (including, as a minimum, action that complies with any requirements set out in clauses 70, 72 and 73 of the Protection of the Environment Operations (Waste) Regulation 2014),*
- (e) the nature and objectives of any staff training program in relation to the plan,*
- (f) the dates on which the plan has been tested and the name of the person who carried out the test,*
- (g) the manner in which the plan is to be tested and maintained.*

98D Availability of plan

(1) A plan is to be made readily available:

- (a) to an authorised officer on request, and*
- (b) at the premises to which the relevant licence relates, or where the relevant activity takes place, to any person who is responsible for implementing the plan.*

(2) A plan is also to be made publicly available in the following manner within 14 days after it is prepared:

- (a) in a prominent position on a publicly accessible website of the person who is required to prepare the plan,*
- (b) if the person does not have such a website—by providing a copy of the plan, without charge, to any person who makes a written request for a copy.*

(3) Subclause (2) applies only in relation to that part of a plan that includes the information required under:



- (a) section 153C (a) of the Act, and
- (b) clause 98C (1) (h) and (i) or (2) (b) and (c) (as the case requires).

(4) Any personal information within the meaning of the Privacy and Personal Information Protection Act 1998 is not required to be included in a plan that is made available to any person other than a person referred to in subclause (1).

98E Testing of plan

(1) The testing of a plan is to be carried out in such a manner as to ensure that the information included in the plan is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.

(2) Any such test is to be carried out:

- (a) routinely at least once every 12 months, and
- (b) within 1 month of any pollution incident occurring in the course of an activity to which the licence relates so as to assess, in the light of that incident, whether the information included in the plan is accurate and up to date and the plan is still capable of being implemented in a workable and effective manner.

98F Transitional period for existing licence holders

A person who held an environment protection licence immediately before the commencement of Part 5.7A of the Act does not commit an offence under that Part during the period between the commencement of that Part and the commencement of clause 36 of Schedule 5 to the Act.

2.3. Definition of Pollution Incident

The Dictionary within the POEO Act defines '**pollution**' and '**pollution incident**' as follows:

pollution means:

- (a) water pollution, or
- (b) air pollution, or
- (c) noise pollution, or
- (d) land pollution.

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. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises, but it does not include an incident or set of circumstances involving only the emission of any noise.

A pollution incident is required to be notified if there is a risk of '**material harm to the environment**', which is defined in Section 147 of the POEO Act as:

147 Meaning of material harm to the environment

(1) For the purposes of this Part:

- (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.

(2) For the purposes of this Part, it does not matter that harm to the environment is caused only in the premises where the pollution incident occurs.

Premises are required to report pollution incidents immediately to the **relevant authority**, which is outlined within Section 148 of the POEO Act as:

Meaning of “relevant authority”

In this section:

relevant authority means any of the following:

- (a) the appropriate regulatory authority,*
- (b) if the EPA is not the appropriate regulatory authority—the EPA,*
- (c) if the EPA is the appropriate regulatory authority—the local authority for the area in which the pollution incident occurs,*
- (d) the Ministry of Health,*
- (e) SafeWork NSW as referred to in clause 1 of Schedule 2 to the Work Health and Safety Act 2011,*
- (f) Fire and Rescue NSW*

‘Immediately’ has its ordinary dictionary meaning of promptly and without delay.

This is to ensure that pollution incidents are reported directly to the relevant authority and response agencies, so they will have direct access to the information they need to manage and deal with the incident in a faster time.



3. Relationship with Other Emergency Plans

This PIRMP should be read in conjunction with the following Hi-Quality policies, procedures and standard forms:

Policies

- HQMIS_COR_1_POL_1_v1 Context of Organisation
- HQMIS_SAF_1_POL_1_v1 Work Health and Safety Policy
- HQMIS_QUA_1_POL_1_v1 Quality Policy
- HQMIS_ENV_1_POL_1_v1 Environment Management Policy

Standards

- HQMIS_ADM_1_STD_5_v1 Consultation and Communication Standard
- HQMIS_EMR_1_STD_1_v1 Emergency Planning Standard
- HQMIS_SAF_1_SMS_1_v1 Safety Management System
- HQMIS_SAF_1_STD_3_v1 Personal Protective Equipment Standard
- HQMIS_SAF_1_STD_4_v1 Risk Assessment Standard
- HQMIS_SAF_1_STD_5_v1 Hazardous & Dangerous Goods Standard
- HQMIS_SAF_1_STD_6_v1 Work Health & Safety Strategic Framework



4. Hazard and Pollution Response

4.1. Risk Management

Probability

The qualitative measure of probability used by Hi-Quality for risk assessments (Risk Assessment Template) is outlined within **Table 1**.

A	Almost Certain	The event is likely to occur in most circumstances
B	Likely	The event will probably occur in most circumstances
C	Moderate	The event could occur at some time
D	Unlikely	The event is unlikely to occur
E	Rare	The event may only occur in exceptional circumstances

Table 1: Probability Matrix

Consequence

The qualitative measure of consequence used by Hi-Quality for risk assessments (Risk Assessment Template) is outlined within **Table 2**.

1	Fatality
2	Extensive injuries, permanent disability lost time
3	Hospital/Medical treatment required
4	First aid treatment required no lost time
5	No injury/near miss

Table 2: Consequence Matrix

Risk Matrix

The risk matrix used by Hi-Quality for risk assessment (Risk Assessment Template) is outlined within **Table 3**.

		Likelihood				
		A	B	C	D	E
Consequence	1	H	H	H	M	M
	2	H	H	M	M	L
	3	H	M	M	L	L
	4	M	M	L	L	L
	5	M	L	L	L	L

Table 3: Risk Matrix



Risk Rating

The risk rating used by Hi-Quality for risk assessment (Risk Assessment Template) is outlined within **Table 4**.

High Risk	H
Medium Risk	M
Low Risk	L

Table 4: Risk Rating

4.2. Hazard Identification

A summary of the potential hazards at the Windellama Clay Mine and Landfill premises to the environment and community are outlined within **Table 5**.

Potential Hazard	Probability	Consequence	Risk Rating
Bushfire	E	3	L
Fire in stockpiles	E	4	L
Breach of development consent conditions	C	4	L
Breach of permitted hours of operation	C	4	L
Breach of EPA Licence conditions	C	4	L
Failure of sediment controls	C	4	L
Site flooding	C	4	L
Spill of hazardous materials such as diesel or oil	C	4	L
Noise pollution from site activities	C	5	L
Air quality pollution from dust from site activities	C	4	L
Failure of leachate management system	C	3	M
Wind blown litter and rubbish	C	3	M
Breach of asbestos disposal management	C	3	M
Traffic accident on site	C	4	L
Traffic accident at site entry	C	4	L
Material tracked out of site	C	4	L
Unauthorised vegetation removal	C	4	L
Groundwater pollution	E	3	L
Unauthorised work on heritage item	D	3	L
Unauthorised work on aboriginal heritage item	D	3	L

Table 5: Potential Hazards and Risk Rating



4.3. Pre-emptive Actions

Pre-emptive actions that have been implemented at the site to minimise potential hazards include:

- PIRMP;
- Emergency Response Plan;
- Asbestos Management Plan;
- Landfill Environmental Management Plan;
- Traffic Management Plan;
- Stormwater Management Plan;
- Dial before you dig searches;
- Diesel fuel tank banded within container;
- On site spill kit;
- First Aid Kit;
- On-site water cart used to wet down roads and hardstand areas; and
- PPE

4.4. Inventory of Pollutants

An inventory of pollutants stored at the Windellama Clay Mine and Landfill premises is outlined within **Table 6**.

Pollutant	Approximate Volume	Location
Diesel Fuel	10,000 Litres	Workshop
Oil & degreaser	1200 Litres	Workshop
Roundup (weed spray)	30 Litres	Workshop

Table 6: Inventory of Pollutants

4.5. Safety Equipment

A list of safety equipment available at the Windellama Clay Mine and Landfill premises is outlined within **Table 7**.

Item	Location
First Aid Kit	Office and House
Fire Extinguisher	Workshop, Mobile Plant and Pumps
Spill Containment Kit	Workshop
PPE (available on request)	Weighbridge/Office

Table 7: List of Safety Equipment



4.6. Incident Response

In the event of a **pollution incident** at the Windellama Clay Mine and Landfill premises that requires Emergency Services, **000** should be called immediately.

Once the Site Manager establishes that the **pollution incident** will cause **material harm to the environment**, the relevant authorities must be notified as required under the PIRMP.

When a pollution incident occurs, the severity of the event will be established by the Site Manager, to determine the extent of communications:

- **Level 1** – Pollution could only affect those in immediate area
 - **Action** - Site workers notified and the area cordoned for pollution incident management under the direction of Site Manager and/or relevant authority, such as Fire & Rescue.
- **Level 2** – Pollution could affect all those on site
 - **Action** - Site evacuated and pollution incident management under the direction of Site Manager and/or relevant authority, such as Fire & Rescue.
- **Level 3** – Pollution could affect whole of site and surrounding neighbours
 - **Action** - Site evacuated, pollution incident management under the direction of Site Manager and/or relevant authority, such as Fire & Rescue, and neighbours contacted by Site Manager and updated regularly as required during incident management.

Figure 2 outlines the procedure to be followed in the event of a **pollution incident** that will cause **material harm to the environment**.

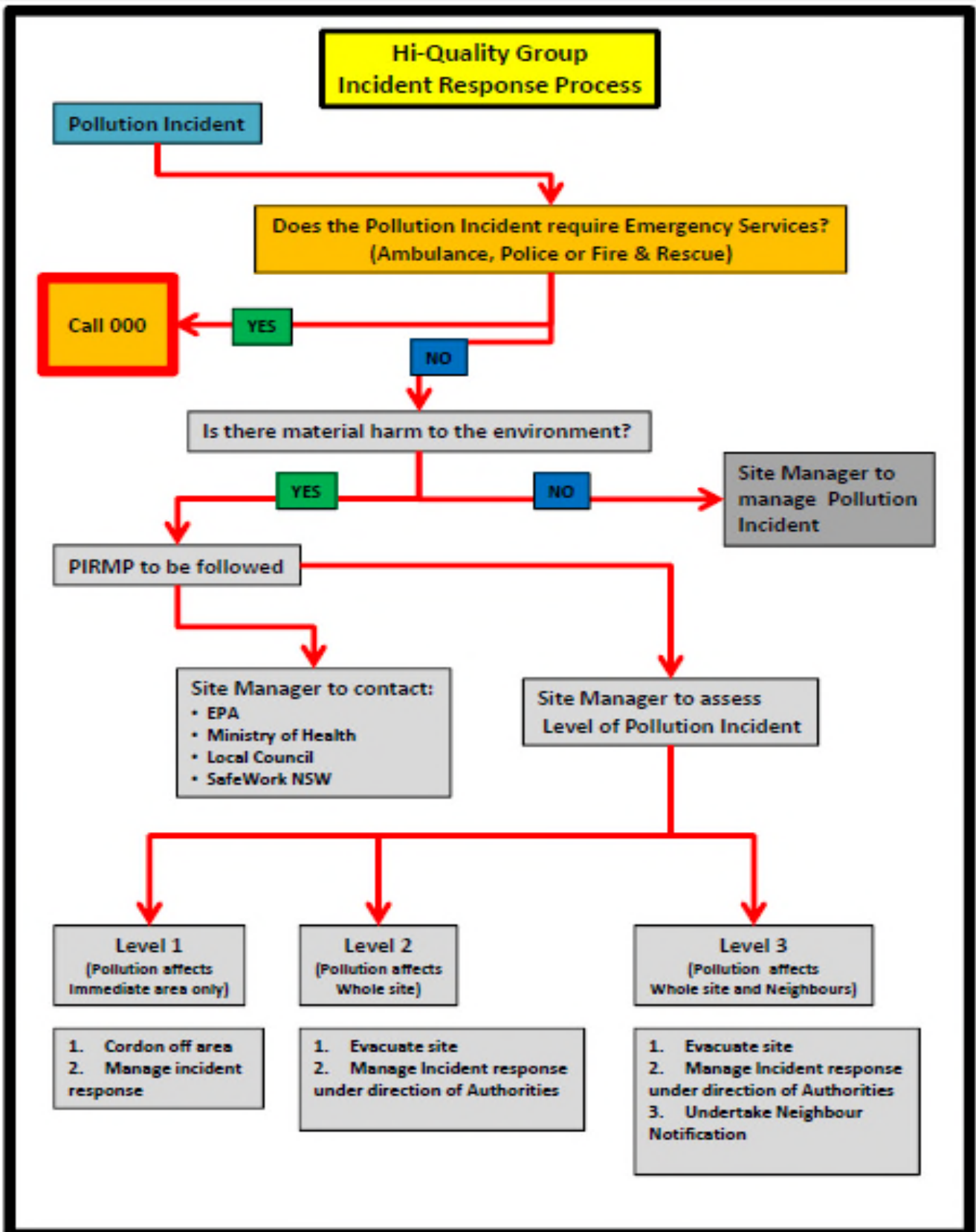


Figure 2: Incident Response Procedure



5. Communications

5.1. Contact Details

Primary contact details for the Windellama Clay Mine and Landfill premises are outlined within **Table 8**.

Name	Position	Contact Number
Windellama Office		02 4844 5168
Garry Stafford	Windellama Site Manager	0418 497 376
Greg Leghissa	General Manager Operations	0418 855 885
Stephen Hallinan	Executive Manager	0416 280 906
Steve Langlands	Group WHS Manager	0417 427 383
Carl Feilberg	SHEQ Compliance Manager	0412 113 351
Hi-Quality Head Office		02 9826 1666

Table 8: Primary Contact Details

5.2. Communication with Regulatory Authorities

Details of the relevant authorities for the Windellama Clay Mine and Landfill premises are outlined within **Table 9**.

Agency Notification	Contact Number
Emergency Services (Police, Ambulance and Fire & Rescue)	000
NSW EPA	131 555
NSW Public Health Unit	1300 066 055
Goulburn Mulwaree Council	02 4823 4444
SafeWork NSW	131 050
Fire and Rescue NSW	000

Table 9: Relevant Authorities Contact Details

5.3. Communication with Neighbours and Local Community

Neighbours who are potentially affected by a pollution incident assessed by the Site Manager as Level 3 will be notified by one of the following methods:

- Phone call by site personnel or Site Manager; or
- Door knocking by site personnel or Site Manager.

Any additional communication will be determined by the nature of the event or as directed by the relevant agency.

Specific information to be provided to community stakeholders may include:

- The nature of the incident and the type of hazard that exists;
- The type of pollutant;



- Prevailing winds;
- Height and magnitude of the emission;
- Location of any off-site fall-out impacts;
- The area affected by the incident;
- Advice on whether to evacuate, or stand-by to evacuate the area (as per Fire & Rescue instruction);
- Possible impacts on sensitive receptors;
- Instructions on whether to close doors and windows for incidents involving air pollutants;
- Who to contact; and
- When the next update will be.

Regular updates will be provided to the affected community stakeholders throughout the course of the event.

An 'all-clear' telephone call will also be made to residents when the incident is no longer of concern or normality has been restored.

Details of neighbours of the Windellama Clay Mine and Landfill premises are outlined within **Table 10**.

No.	Neighbour	Address	Contact Number
1	Ernest Christian	2766 Oallen Ford Road	02 4844 5646
2	Barbara Turner	2732 Oallen Ford Road	02 4844 5261
3	Alvean Tokareff	2700 Oallen Ford Road	02 4844 5280
4	Kim Penfold and Teressa Fryer	2727 Oallen Ford Road	02 48844 5747
5	Brad Gai	2645 Oallen Ford Road	-
6	Colin and Karen Stanford	46 Clay Pit Road	02 4844 5725
7	Phyllis Costello	18 Clay Pit Road	-
8	Alfredo and Lucrecia Zaracht	2582 Oallen Ford Road	02 4844 5984
9	Michael Rivas	83 Wolgon Road	02 4844 5551
10	Malcolm and Janet Cooke	89 Wolgon Road	-
11	Albert Stockford	153 Wolgon Road	02 4844 5321
12	Nicholas Dedman	203 Wolgon Road	-
13	Said and Marie Rizk	239 Wolgon Road	-
14	Clarence Mulkins	261 Wolgon Road	-
15	Mark and Catherine Brooks	295 Wolgon Road	-
16	Sydney Mechanical Pty Ltd	2814 Oallen Ford Road	-

Table 10: Neighbour Contact Details



6. Training and Document Control

6.1. Staff Awareness and Training

All staff and contractors are required to complete general site induction training which includes environmental awareness related to the Windellama Clay Mine and Landfill premises.

The contents of this training include:

- Informing workers of their impacts on the environment and how they can prevent or minimise these impacts will lead to sound environmental practices;
- Providing details on the sensitivity of the site and importance of adhering to environmental procedures;
- Awareness of environmental signage that is displayed on the site;
- Emergency and evacuation procedures and emergency assembly location; and
- Environmental procedures to be followed.

All persons will be required to complete refresher training on an annual basis via a toolbox meeting.

6.2. Document Availability

This PIRMP will be made available to the public via the following methods:

- A hard copy of the PIRMP will be displayed on the site notice board;
- A hard copy of the PIRMP will be available at the Site Manager's office
- An electronic copy of the PIRMP will be uploaded on the Hi-Quality website at www.hiquality.com.au; and
- A copy of the PIRMP will be made available to any member of the public who may request a copy.



6.3. Testing of PIRMP

This PIRMP will be reviewed and desk top tested at least once every 12 months to ensure that the information contained within the PIRMP is accurate and up to date, and that the PIRMP is capable of being implemented in a workable and effective manner.

The PIRMP would also be reviewed within 1 month of any reportable incident.

Tracking of the review and/or testing of the Windellama Clay Mine and Landfill PIRMP is outlined within **Table 11**.

Date Reviewed or Tested	Version	Who Reviewed or Tested	How Updated and/or Tested	Comments
___/03/2012	1	Vijay Chetty	Desk top	PIRMP original document preparation
23/10/2014	1	Vijay Chetty	Desk top	Desk top review and updated information
17/04/2016	2	Ron Bush	Desk top & Site Inspection	PIRMP revised, reformatted and made site specific
1/7/2017	IMS Version 1	Ron Bush	Desk top & Site Inspection	PIRMP revised to IMS and MIS system
1/07/2018	IMS Version 2	Andrew Stuart	Desk top & Site Inspection	PIRMP revised and information updated

Table 11: Record of Review and/or Testing of Windellama Clay Mine and Landfill PIRMP