



**Licence No. TBC**

**PETE'S PETROLEUM  
PRODUCTS**

1 Petrol Street, ADELAIDE SA 5000

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**ISSUED:**

01 Jan 2020

**EXPIRY:**

31 December 2023

**ACN:**

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Environmental Authorisation  
under Part 6 of the  
*Environment Protection  
Act 1993*

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**South Australian  
Environment  
Protection Authority**  
GPO Box 2607  
Adelaide SA 5001  
Tel: 08 8204 2004

EPA

SAMPLE

# Environment Protection Authority



**LICENCE NUMBER** TBC

## LICENSEE DETAILS

Licence Holder: PETE'S PETROLEUM PRODUCTS

ACN: TBC

Registered Address: TBC

Premises Address(es): 1 Petrol Street ADELAIDE SA 5000

## LICENSED ACTIVITIES

The Licensee is authorised to undertake, at the location(s) shown above, the following prescribed activities of environmental significance under Schedule 1 Part A of the Act, subject to the conditions in this Licence.

1(5)(a) Petrol Stations

## TERMS OF LICENCE

Commencement Date: 01 Jan 2020

Expiry Date: 31 Dec 2023

## Table of Contents

Licence Explanatory Notes – Do Not Form Part of the Licence.....	5
Definitions .....	6
Acronyms.....	7
Conditions of Licence .....	8
Attachments.....	11

SAMPLE

## Licence Explanatory Notes – Do Not Form Part of the Licence

### Compliance with this licence

The EPA seeks to ensure that all reasonable and practicable measures are taken to protect, restore and enhance the quality of the environment according to the principles of ecologically sustainable development. To achieve this objective, the EPA uses a number of regulatory decision making principles and actions outlined in the 'Compliance and enforcement regulatory options and tools' document available on the EPA website.

### Notification – serious or material environmental harm caused or threatened

If serious or material environmental harm from pollution is caused or threatened in the course of an activity, the licence holder must, as soon as reasonably practicable after becoming aware of the harm or threatened harm, notify the EPA (preferably on EPA emergency phone number 1800 100 833) of the harm or threatened harm, its nature, the circumstances in which it occurred and the action taken to deal with it in accordance with section 83 of the [Environment Protection Act 1993](#) (the Act). In the event that the primary emergency phone number is out of order, the licence holder should phone (08) 8204 2004.

### Variations, transfers and surrender of a licence

The EPA may impose or vary the conditions of a licence by notice in writing to the licence holder in accordance with sections 45 and 46 of the Act. Public notice may be required where the variation of licence conditions results in a relaxation of the requirements imposed for the protection or restoration of the environment and results in an adverse effect on any adjoining land or its amenity.

If a licence holder wishes to vary the conditions of a licence, transfer a licence to another entity, or surrender a licence, the licence holder must submit an application to the EPA in accordance with the applicable provisions of the Act (sections 45, 49 and 56, respectively). A licence remains in effect and in its original form until such time as any proposed variation, application for surrender, or transfer has been made and approved in writing by the EPA.

### Suspension or cancellation of a licence

The EPA may suspend or cancel a licence by notice in writing to the licence holder in accordance with section 55 of the Act if satisfied the licence holder has either obtained the licence improperly, contravened a requirement under the Act or if the holder is a body corporate, a director of the body corporate has been guilty of misconduct of a prescribed kind (whether in this State or elsewhere).

### Responsibilities under Environment Protection legislation

In addition to the conditions of any licence, a licence holder must comply with their obligations under all State and Federal legislation (as amended from time to time) including: the [Environment Protection Act 1993](#); the [Environment Protection Regulations 2009](#); all Environment Protection Policies made under the [Environment Protection Act 1993](#); and any National Environment Protection Measures not operating as an Environment Protection Policy under the [Environment Protection Act 1993](#)

### Public Register Information

The EPA maintains and makes available a Public Register of details related to its determinations and other information it considers appropriate (i.e. excluding trade processes or financial information) in accordance with section 109 of the Act. These details include, but are not limited to:

- licensing and beverage container applications and approvals
- enforcement actions
- site contamination
- serious or material environmental harm caused or threatened in the course of an activity
- environment improvement programs and environment performance agreements
- environment assessment reports; results of testing, monitoring or evaluation required by a licence
- EPA advice or direction regarding development approvals referred to the EPA by a planning authority

## Definitions

Unless the contrary intention appears, terms used in this licence that are defined in the Act (including any regulations or environment protection policies made pursuant to the Act) have the respective meanings assigned to those terms by the Act.

**THE ACT:** means the *Environment Protection Act 1993*

**PREMISES:** The whole of the land comprised in Titles Register - Certificate of Title, Crown Lease and Crown Record.

**ABOVEGROUND STORAGE TANK:** means a static storage tank that is not an underground storage tank.

**AUTHORISATION FEE PAYMENT DATE:** means the anniversary of the grant or renewal of this authorisation.

**CERTIFIED PRACTITIONER:** means a site contamination professional who is certified by a certification body recognised by the EPA in accordance with *EPA Site contamination policy: certification of practitioners (2018)*.

**DIESEL FUEL:** means a petroleum or shale product used or capable of being used in propelling a diesel engine road vehicle, but does not include a prescribed substance.

**ENVIRONMENTAL HARM:** means the same as is defined in the Act.

**INVENTORY CONTROL SYSTEM:** means the performance of reconciliation of volumes of product or used oil in tanks.

**LEAK MONITORING:** means the process provided to detect a leak in equipment of an UPS system.

**LIQUEFIED PETROLEUM GAS:** means a hydrocarbon fluid composed predominantly of any of the following hydrocarbons or mixtures of all or any of them:

- a) Propane
- b) Propylene
- c) Butane
- d) Butylene

**MOTOR SPIRIT:** means petrol or other petroleum or shale spirit having a closed-cup flash point of less than 23 degrees Celsius when tested by the Abel method as set out in Part 1 of Australian Standard 2106 "Determination of the Flash Point of Flammable Liquids (Closed Cup)", but does not include—

- a) Solvents; or
- b) Special boiling point spirits; or
- c) Liquefied petroleum gas; or
- d) Any prescribed substance

**PRODUCT (PETROLEUM PRODUCT):** means-

- a) Motor spirit
- b) Diesel fuel
- c) Liquefied petroleum gas; or
- d) Any other substance declared by regulation to be a petroleum product.

**PRODUCT PIPING:** means any piping that routinely contains product but does not include product vent piping, product fill piping or product vapour recovery piping.

**SITE CONTAMINATION CONSULTANT:** means the same as is defined in the Act.

**TANK:** means a container other than a package or intermediate bulk container, intended for the storage of product or used oil, having a capacity greater than 450 L and remaining permanently in place once installed.

**UNDERGROUND PETROLEUM STORAGE SYSTEM (UPSS):** means one or more completely or partially buried tanks that contain or are intended to contain product or used oil, leak monitoring systems, cathodic protection and all product piping to, from or associated with the tanks and up to the inlet port of the dispensers.

**UNDERGROUND STORAGE TANK:** means a static storage tank wholly or partially buried below the surrounding ground gradient.

**USED OIL:** means oil that has been used for lubricating or other purposes and has become unsuitable for its original purpose due to the presence of impurities or the loss of its original properties.

**WASTE:** means the same as is defined in the Act.

## Acronyms

**EPA:** means Environment Protection Authority

**AS:** means Australian Standard

**UPSS:** means Underground Petroleum Storage System

**EIT:** means Equipment Integrity Testing

## Conditions of Licence

The Licensee is authorised to conduct the prescribed activities as described in this Licence at the Premises nominated, subject to the following conditions:

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### 1 CONTROL OF EMISSIONS

#### 1.1 STORMWATER

The Licensee must:

- 1.1.1 take all reasonable and practicable measures to prevent the contamination of stormwater at the Premises; and
- 1.1.2 take all reasonable and practicable measures to contain any contaminated stormwater at the Premises unless and until the contaminated stormwater is treated to remove the contamination, or is disposed of at an appropriately licensed facility.

#### 1.2 BUNDING

The Licensee must ensure Aboveground Storage Tanks are banded in accordance with clause 5.8 or 5.9 of AS 1940-2017, *The storage and handling of flammable and combustible liquids*.

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### 2 MONITORING AND REPORTING

#### 2.1 ENVIRONMENTAL ASSESSMENT

The Licensee must:

- 2.1.1 undertake an environmental assessment, to the satisfaction of the EPA, as soon as reasonably practicable following actual or potential release of Product or Used Oil from any part of the UPSS to the environment to determine nature and extent of environmental harm;
- 2.1.2 ensure the environmental assessment is undertaken by a Site Contamination Consultant; and
- 2.1.3 submit to the EPA within 4 weeks of receipt, unless otherwise approved in writing by the EPA, an environmental assessment report that has been prepared or reviewed and approved by a Certified Practitioner.

#### NOTES:

For guidance on environmental assessment, refer to the following documents as amended from time to time:

- SA EPA Guideline for the assessment and remediation of site contamination (2018)
- SA EPA Guideline for the assessment of background concentrations (2018)
- SA EPA Guideline for the assessment of underground storage systems (2019)
- National Environment Protection (Assessment of Site Contamination) Measure 1999 as amended in 2013



## 2.2 LEAK MONITORING AND DETECTION SYSTEM

The Licensee must:

- 2.2.1 ensure all Tanks or Product Piping have an appropriate leak detection system capable of detecting a leak rate of 0.76 litres per hour with greater than 95% confidence and less than 5% false positive;
- 2.2.2 ensure leak detection methods comply with clause 4.5 of AS 4897-2008, *The design, installation and operation of underground petroleum storage systems*;
- 2.2.3 ensure leak detection is carried out and recorded on a daily basis; and
- 2.2.4 maintain a record of the leak monitoring results for a period of 7 years and make the results available to an authorised officer upon request.

## 2.3 EQUIPMENT INTEGRITY TESTING

The Licensee must:

- 2.3.1 undertake Equipment Integrity Testing (EIT) as soon as reasonably practicable after suspecting a leak from the UPSS;
- 2.3.2 ensure the EIT is undertaken in accordance with clause 8.5 of AS 4897-2008, *The design, installation and operation of underground petroleum storage systems*; and
- 2.3.3 notify the EPA as soon as reasonably practicable, but in any case within 24 hours if the EIT confirms a loss of integrity of any part of the UPSS where there is actual or potential release of Product or Used Oil to the environment.

## 2.4 INVENTORY CONTROL SYSTEM

The Licensee must:

- 2.4.1 develop and maintain an Inventory Control System for UPSS containing both Product and Used Oil;
- 2.4.2 ensure the Inventory Control System complies with Section 7 of AS 4897-2008, *The design, installation and operation of underground petroleum storage systems*; and
- 2.4.3 maintain records for discrepancy or loss investigations for a period of 7 years and make the records available to an authorised officer upon request.

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### **3 ADMINISTRATION**

#### **3.1 ANNUAL RETURN AND PAYMENT OF ANNUAL FEES (A - 4)**

For the purposes of section 48(2)(a) of the Act, the date in each year for the lodgment of the Annual Return is no later than 90 days before the anniversary of the grant or renewal of the Licence; and

- 3.1.1 for the purposes of section 48(2)(b) of the Act, the date in each year for the payment of Annual Authorisation Fee is the anniversary of the grant of the Licence.

#### **3.2 APPROVAL OF OPERATING PROCESSES (A - 6)**

The Licensee must not undertake changes to operating processes conducted pursuant to the Licence at the Premises without written approval from the EPA, where such changes:

- 3.2.1 have the potential to increase emissions or alter the nature of pollutants or waste currently generated by, or from the licensed activity; or
- 3.2.2 have the potential to increase the risk of environmental harm; or
- 3.2.3 Would relocate the point of discharge of pollution or waste at the Premises.

#### **3.3 APPROVAL OF WORKS (A - 5)**

The Licensee must not construct or alter a building or structure, or install or alter any plant or equipment, for use of an activity undertaken pursuant to the Licence at the Premises without written approval from the EPA, where such changes:

- 3.3.1 have the potential to increase the emissions or alter the nature of pollutants or waste currently generated by, or from the licensed activity; or
- 3.3.2 have the potential to increase the risk of environmental harm; or
- 3.3.3 would relocate the point of discharge of pollution or waste at the Premises.

#### **3.4 CHANGE OF LICENSEE DETAILS (A - 3)**

If the Licensee's name or postal address (or both) changes, the Licensee must inform the EPA within 28 days of the change occurring.

### **3.5 LICENCE RENEWAL (A - 2)**

For the purposes of section 43(3) of the Act, an application for Renewal of the Licence must be made no later than 90 days before the expiry date of the Licence.

### **3.6 OBLIGATIONS TO EMPLOYEES, AGENTS AND CONTRACTORS (A - 1)**

The Licensee must ensure that every employee, agent or contractor responsible for undertaking any activity regulated by the Licence, is informed as to the conditions of the Licence.

### **3.7 IMPOSE OR VARY CONDITIONS**

The EPA may during the term of this licence, pursuant to section 45(3)(b)(iii) of the Act, impose or vary conditions on the basis of information provided to the EPA in accordance with conditions 2.1, 2.2, 2.3 and 2.4 of this licence.

### **Attachments**

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