



EARTHMOVING, MINING & CARTAGE CONTRACTORS

ACN 008 961 975 ABN 68 008 961 975

Mr Bruce Edwards
Assistant Secretary of the Assessment and Air Branch
Department of Environment & Energy
GPO Box 787 Canberra
Australian Capital Territory, 2601

21st November 2016

Dear Mr Edwards

Re: Compliance Monitoring Inspection Limestone Excavation on Lots 2 and 4 Ludlow Road, Myalup WA (EPBC 2008/3956)

In a letter received from the Department of Environment dated 5th August 2016, it was stated that practices involving the servicing of vehicles on the above site may not be being undertaken consistently with the intent of the "Not a Controlled Action – Particular Manner" (NCA-PM) Decision.

B & J Catalano Pty Ltd wish to apply for a reconsideration of a particular manner requirement under Section 78(1)(b) of the EPBC Act (1999) for the NCA-PM decision EPBC 2008/3956 dated 12th March 2008, which states "no servicing of vehicles will be undertaken on site".

In regards to the particular manner requirement "no servicing of vehicles will be undertaken on site", it is not economically viable to service the front-end loader and bulldozer (vehicles which remain on site for the duration of the extraction operation) off-site, due to the high mobilisation/demobilisation costs associated with moving the vehicles to an off-site workshop, hence this particular manner decision will not be complied with by the proponent in the future.

B & J Catalano Pty Ltd is seeking reconsideration to the above particular manner requirement from the Minister which will enable them to undertake servicing of the front-end loader and bulldozer onsite on an "as required" basis. The following mitigation measures will be employed to ensure that no impacts occur to matters protected under the EPBC Act.

B & J Catalano Pty Ltd is proposing the following methods for servicing of vehicles on site. These methods are in accordance with the Water Quality Protection Note Guidelines from the Department of Water, Western Australia.

- Servicing of the front-end loader and bulldozer will take place at a distance of greater than 100m from the adjacent Lake Preston.
- Prior to any servicing taking place, a suitably sized spill mat or drip tray will be placed under the vehicle to be serviced to capture any leaks or spills. Any material captured in the drip tray during the course of the servicing will be disposed of into the waste facility on the service truck.
- Servicing techniques will involve directly vacuuming the waste fluids from the engine of the vehicle being serviced, to a waste oil tank on the service truck with no chance of an oil spill.

- A drum will be placed under the oil filter of the vehicle being serviced prior to its removal. Any minor oil drips associated with the removal of the filter will deposit in the drum and the filter, once removed, will also be placed in the drum. The contents of the drum will be disposed of in the waste facility on the service truck and removed off-site and disposed of at an appropriately licenced waste facility.
- Spill kits will be kept on the service truck and any spills greater than 5 litres will be reported immediately.

Adherence to these proposed methods, will ensure consistency with the intent of the NCA-PM decision for this proposed extractive industry operation.

Should you have any further queries or wish to discuss this proposal, please do not hesitate to contact me on 0407 857 026.

Yours Sincerely

Peter Bennett

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