

Prosecution Bulletin no. 11/2018

Summary

- On 20 July 2018 a company was fined \$12,000 by the Beenleigh Magistrates Court for two offences of contravening a condition of its environmental authority at a waste receiving facility in Yatala, Queensland.
- The Court also ordered the company pay legal and investigations costs of \$10,564.
- No conviction was recorded.

Facts

The company operated under an environmental authority, which permitted it to undertake environmentally relevant activities at its waste receiving facility in Yatala, Queensland.

The environmental authority provided conditions for the receipt of liquid waste, such as oily water.

During a departmental inspection on 18 August 2016, it was observed that the waste receiveal area on site was not roofed or equipped with an odour and gas extraction system.

During a further departmental inspection on 7 March 2017, it was noted that the waste receiveal area was still not equipped with an effective odour and gas extraction system. A roof had been installed over the area, however a bund was not installed to contain spills. These failures breached two conditions of the environmental authority, which required installation of an extraction system and a rollover bund.

The company's conduct put the site at risk of causing environmental harm in the event that there was a spill of liquid waste received by the site.

Outcome

On 20 July 2018, the company pleaded guilty to two charges before the Beenleigh Magistrates Court and was fined \$12,000. The company was also ordered to pay both investigation and legal costs in the amounts of \$9064 and \$1500 respectively. No conviction was recorded.

In sentencing, the Court took into account the early plea of guilty, the cooperation by the company with the Department during the investigation and that there was a low risk of environmental harm occurring in the event of a spill from the site.

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