

Duty to notify of contaminated land

The following section is from the EPA Registration A13c document:

Under section 40(1) of the Act, a person in management or control of land must notify EPA if the land has been contaminated by notifiable contamination as soon as practicable after the person becomes aware of the notifiable contamination. Notifiable contamination means contamination which is prescribed in the Regulations, or contamination for which the cost of action to remediate the land is likely to exceed \$50,000, or any other prescribed

This clause is informing the operation's management that when a contamination issue has been discovered there are duties to notify EPA Victoria that the site is contaminated.

For example, if a soil report is received that says there is hydrocarbon (motor oil) contamination on site, depending on the size and spread of the oil underground could trigger this condition. Given the costs associated with remediation, i.e. removing the contaminated soil, disposing the contaminated soil to a lawful disposal outlet and then back filling the hole with material that is not contaminated, the estimated value of remediation may trigger this requirement.

If you as an employee, and not in management control, you should inform the responsible person in your organisation. Note: some on site contamination may already be known to management and EPA Victoria, such as a historical unlined landfill next to an old creek, but it is good practice for management to check.