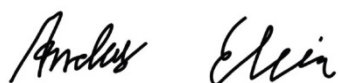


Operating licence

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Licence number	OL000046555
Issue date	30 June 1997
Last amended	15 October 2024
Expiry date	31 December 9999
Licence holder	VIVA ENERGY REFINING PTY LTD
ACN	004303842
Activity site(s)	90 Refinery Rd, Corio, VIC, 3214, AU
Prescribed permission activities	G01 (Chemical works) A07a (Organic waste processing - large) G03 (Oil and gas refining)

Issued under section 74(1)(a) of the *Environment Protection Act 2017* (the Act).



Andreas Elvin
Team Leader Operating Licences
Delegate of Environment Protection Authority Victoria (EPA)

epa.vic.gov.au

Environment Protection Authority Victoria
GPO BOX 4395 Melbourne VIC 3001
1300 372 842

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Context

Environment Protection Authority Victoria (EPA) is Victoria's environmental regulator acting in accordance with the *Environment Protection Act 2017* (the Act). Our regulatory role is to work with community, industry and business to prevent and reduce the harmful effects of pollution and waste on Victoria's environment and people.

Why we issue operating licences

A range of operating activity types are prescribed in the Environment Protection Regulations 2021 (the Regulations) because they give rise to risks of harm to human health or the environment. We issue operating licences so applicants can lawfully undertake prescribed operating activities. Section 45 of the Act provides that a person must not engage in a prescribed operating activity except as authorised by an operating licence in respect of that activity.

When we issue operating licences

EPA can issue an operating licence under section 74(1) of the Act. When issuing an operating licence, EPA takes into account a number of factors, including the measures an applicant has taken or proposes to take in order to comply with the Act when engaging in the prescribed permission activity.

EPA can amend, suspend or revoke a licence for a range of reasons. This can include in response to changes in activities, risks or licence holder performance. All operating licence details are publicly accessible via the EPA Public Register.

Key information and obligations

Interpretation

For the purposes of this operating licence "You" means the "licence holder" identified on the first page. Unless a contrary intention appears, words or terms used in the conditions of your licence have the same meaning as in the Act, and in any regulations made pursuant to the Act.

Compliance

Your licence is subject to conditions. These conditions confer legal obligations on you as the licence holder. Some of these are general in nature, while others require you to do (or not to do) specific things. The requirements of these conditions do not detract from each other in any way, nor do they affect any other duties or obligations with which you are required to comply by law. You must fulfil all duties and perform all obligations set out in this licence or otherwise required by law.

Strict penalties apply for non-compliance with any part of your .

You must comply with the Act and regulations administered by EPA. This includes, but is not limited to, compliance with the general environmental duty (GED).

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Duties under the Act

Under the Act, you have legal obligations in relation to your prescribed and non-prescribed activities. These legal obligations exist to minimise risks of harm to human health and the environment from pollution and waste.

You may be committing an offence and be liable to a penalty under the Act if your actions or omissions constitute a breach of these legal obligations.

General environmental duty

The Act places the onus on you to understand the risks associated with your operation or activity and requires you to minimise the risk of harm. This is called the general environmental duty (GED).

Sections 6 and 25 of the Act provide the legal basis for the GED. These sections state that a person engaging in an activity which may give rise to risks of harm to human health or the environment from pollution or waste must eliminate or minimise those risks, as far as reasonably practicable.

Duty to notify EPA of notifiable incidents

A notifiable incident is a pollution incident that causes or threatens to cause material harm to human health or the environment or is a prescribed notifiable incident. Under section 32 of the Act, you have an obligation to notify EPA of a notifiable incident as soon as practicable after you become aware of the incident.

Duty to take action to respond to harm caused by pollution incident

Under section 31 of the Act, if a pollution incident has occurred as a result of an activity (whether by act or omission) and the pollution incident causes or is likely to cause harm to human health or the environment, a person who is engaging in that activity must, so far as reasonably practicable, restore the affected area to the state it was in before the pollution incident occurred.

Duty to notify of contaminated land

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 amount.

Duties relating to industrial waste, priority wastes and reportable priority wastes

Under parts 6.4 and 6.5 of the Act, a person has obligations in relation to the generation, receiving, recording, managing, transporting, and disposal of industrial, priority wastes and reportable priority wastes. These duties include:

- Duties of persons depositing industrial waste.

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- Duties of persons receiving industrial waste.
- Duty of persons involved in transporting industrial waste.
- Duties of persons managing priority waste.
- Duty to investigate alternatives to waste disposal.
- Duty to notify of transaction in reportable priority waste.
- Duty of persons transporting reportable priority waste.

For further information on waste classifications see schedule 5 of the Regulations.

Further information and resources

To aid compliance with the Act and the Regulations, Environment Reference Standards (ERS), Compliance Codes, Position Statements and Guidelines have been developed to address a range of environmental objectives, permitted and non-permitted activities and risks.

You should understand how the Victorian environment protection framework applies to you and your activity, operation or business by making yourself familiar with the Act, Regulations, Compliance Codes and other relevant guidance material.

To assist you with understanding your obligations refer to www.epa.vic.gov.au.

Amendment

You can apply at any time to EPA for an amendment to your licence under section 57 of the Act. EPA may also decide to amend a licence under its own initiative according to section 58 of the Act.

Transfer

A person may apply to EPA for the transfer of this licence to a new licence holder pursuant to section 56 of the Act.

Duration of licence

This operating licence is subject to the expiry date identified on the first page. It will remain in force until that time unless it is first surrendered by the licence holder (with consent from EPA), or it is suspended or revoked by EPA.

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Operating licence structure

Your operating licence has multiple parts:

- Conditions
- Appendix 1 – locality plan
- Appendix 2 – activity plan
- Appendix 3 – contour plan
- Appendix 4 – waste acceptance table
- Appendix 5 – air discharge tables
- Appendix 6 – water discharge tables
- Appendix 7 – landfill cell table

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Conditions

General conditions

OL_G01	A copy of this licence must be kept at the activity site and be easily accessible to persons who are engaging in an activity conducted at the activity site. Information regarding the requirements of the licence and the Act duties must be included in site induction and training information.
OL_G02	<p>You must immediately notify the Authority by calling 1300 EPA VIC (1300 372 842) in the event of:</p> <ul style="list-style-type: none">a) A discharge, emission or deposit which gives rise to, or may give rise to, actual or potential harm to human health or the environment;b) A malfunction, breakdown or failure of risk control measures at the activity site which could reasonably be expected to give rise to actual or potential harm to human health or the environment; orc) Any breach of the licence.
OL_G03	<p>You must notify the Authority within 48 hours of the occurrence of any the following:</p> <ul style="list-style-type: none">(a) Any change to your name or address (including your registered address and activity site as applicable);(b) You become, or are likely to become, an insolvent under administration;(c) You become, or are likely to become, an externally administered company under the Corporations Act; or(d) A change to an officer (as defined in the Act). <p>You must update your information in the EPA Interaction Portal if any other relevant administrative details for your business change.</p>
OL_G04a	You must provide to the Authority with a Permission Information and Performance Statement (PIPS) in the form determined by the Authority within 2 months of receiving notification in writing from the Authority. The PIPS may be released to the public (in whole or in part).
OL_G04b	<p>Information and monitoring records used for the preparation of, inclusion in, or support of, any reporting or notification that is required of you by the Authority (including data reporting, performance reporting, documents evidencing any risk and monitoring program) must be:</p> <ul style="list-style-type: none">a) retained for five years; andb) made available to the Authority on request.
OL_G05	<p>1. You must develop a risk management and monitoring program for your activities which:</p> <ul style="list-style-type: none">(a) identifies all the risks of harm to human health and the environment which may arise from the activities you are engaging in at your activity site;(b) clearly defines your environmental performance objectives;(c) clearly defines your risk control performance objectives;(d) describes how the environmental and risk control performance objectives are being achieved;

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	<p>(e) identifies and describes how you will continue to eliminate or minimise the risks in 1(a) (above) so far as reasonably practicable (SFARP); and</p> <p>(f) describes how the information collated in compliance with this clause, is or will be disseminated, used or otherwise considered by you or any other entity.</p> <p>2. The risk management and monitoring program must be:</p> <p>(a) documented in writing;</p> <p>(b) signed by a duly authorised officer of the licensed entity; and</p> <p>(c) made available to the Authority on request.</p>
OL_G07	<p>You must:</p> <p>(a) develop and maintain a decommissioning plan that is in accordance with the current decommissioning guidelines published by the Authority;</p> <p>(b) provide the decommissioning plan to the Authority upon request;</p> <p>(c) supply to the Authority an updated detailed decommissioning plan 40 business days prior to commencement of decommissioning, if you propose to divest a section of the licensed site, cease part or all of the licensed activity or reduce the basis upon which the licence was granted to a point where licensing is no longer required; and</p> <p>(d) decommission the licensed site in accordance with the detailed decommissioning plan, to the satisfaction of the Authority and within any reasonable timeframe which may be specified by the Authority.</p>

Standard conditions

OL_WA01	<p>You must ensure all of the following:</p> <p>a) Only waste of a type shown in Appendix 4 of this licence is accepted at the activity site; and</p> <p>b) If it is identified that any waste has been received at the activity site that is of a type not shown in Appendix 4 in contravention of paragraph a) above, such waste must be placed in a designated and sign-posted temporary storage area and sent for disposal to a site licensed by the Authority to receive such waste within 21 days of the date it was received.</p>
OL_WM01	<p>You can store up to 2,700 tonnes of mulch at the activity site at any time.</p>
OL_WM14	<p>All plant and equipment must be maintained and operated in proper working condition, in accordance with the manufacturer's specifications.</p>

Specific conditions

OL_DA01	<p>Discharge of waste to air must be in accordance with Appendix 5.</p>
OL_DA01.13	<p>Air emissions of sulphur dioxide must not exceed :</p> <p>(a) 5100 grams per minute from all boilers and heaters combined being the sum of DP's 4, 5, 9, 10, 11, 12, 21 and 23;</p>

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	(b) 2000 grams per minute from discharge point 25 and; (c) 10,300 grams per minute from discharge point 26.
OL_DA01.27	Air emissions of sulfur dioxide must not exceed : (a) 12,900 grams per minute from all discharge points combined.
OL_DA02	Visible emissions to air other than steam must not be discharged from the activity site, except as permitted by this licence.
OL_DW02	Discharge of waste to surface waters must be in accordance with Appendix 6.
OL_DW02.05	You must ensure that the receiving environment from the relevant discharge points achieves background levels in relation to the mixing zones as shown in Appendix 2 for the following indicators: Discharge of wastewater must not contain visible floating oil.
OL_DW03.01.01	You must ensure that the receiving environment at the following distance from the relevant discharge points achieves background levels in relation to the mixing zones as shown in Appendix 2: (a) a radius of 500 metres from discharge point W1, (b) a radius of 100 metres from discharge point W3, (c) a radius of 80 metres from discharge point W4, (d) a radius of 120 metres from discharge point W5.
OL_DW04	You must install and maintain signage in the vicinity of the mixing zone displaying: (a) the extent and nature of the mixing zone; (b) your name; (c) your EPA licence number; and (d) the discharge point number.
OL_G05.01	You must implement a program to assess performance against the air pollution assessment criteria (APAC) in Table 3 of the Guideline for Assessing and Minimising Air Pollution (EPA Publication 1961) for sulfur dioxide, benzene and particles as PM10 and PM2.5.
OL_G05.05.01	You must implement a program to assess annually in accordance with (a) Performance against the Design Criteria in Table 4 of the EPA Publication 1961: Guideline for assessing and minimising air pollution for fluoride; and (b) Within a 1500 metre radius of the premises boundary: (i) any visible injury to vegetation; and (ii) fluoride levels in samples of forage (dry tissue, unwashed) against an annual mean of 40 µg/g and a maximum of 80 µg/g.
OL_WM04	You must ensure that waste does not burn at the activity site.
OL_WM13	Notwithstanding the discharge limits set out in this licence, the licence holder's risk management and monitoring program must address:

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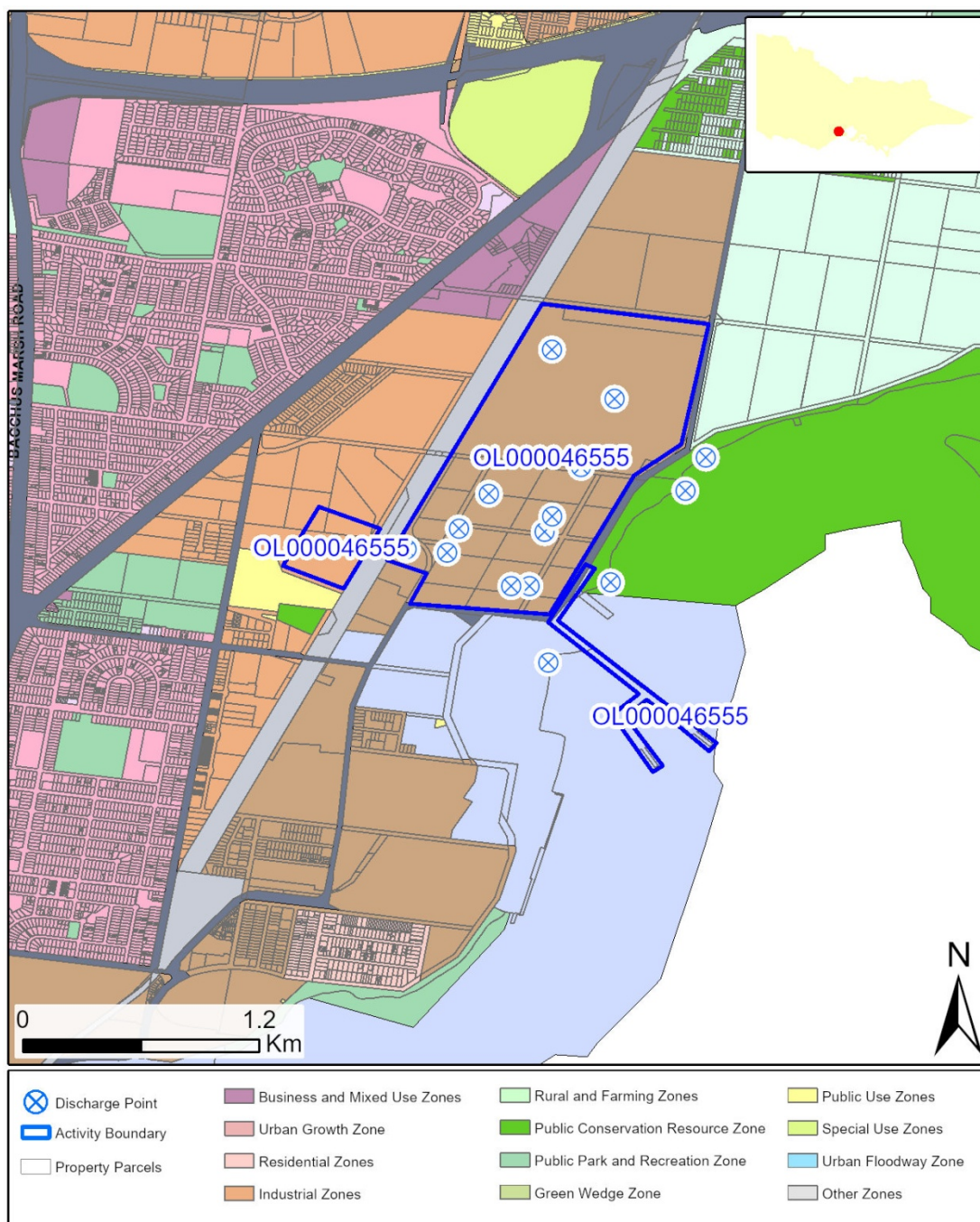
-
- (a) Causes of short-term variation in emissions (which may include equipment or process failures and replacement of components);
 - (b) Opportunities to reduce long term and event-driven emissions through practices or controls; and
 - (c) Key indicators of emission variation including process and system indicators.
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Appendices

Appendix 1 – locality plan



Before relying on the information in this map, carefully evaluate its accuracy, currency, completeness and relevance. Obtain appropriate professional advice before using this information.

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[illegible]

Before relying on the information in this map, carefully evaluate its accuracy, currency, completeness and relevance. Obtain appropriate professional advice before using this information.

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Before relying on the information in this map, carefully evaluate its accuracy, currency, completeness and relevance. Obtain appropriate professional advice before using this information.

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Appendix 3 – contour plan

There is no contour plan for this licence.

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Appendix 4 - waste acceptance table

Waste Code	Waste Description	Treatment Code	Treatment Description
W_5	Municipal green waste - vegetation, garden, landscaping, and natural fibrous wastes	R16	Composting

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Appendix 5 – air discharge tables

Discharge Point ID	Discharge Point Name	Indicator	Limit Type	Unit	Discharge Limit
BUBBLE	Premises-wide discharges (bubble limits)	Benzene	Bubble	t/year	4.50000
		Carbon monoxide	Bubble	g/min	2900.00000
		Oxides of nitrogen (as NO ₂)	Bubble	g/min	8800.00000
		Sulfur dioxide	Bubble	t/year	4475.00000
DP10	Mogas stack	Fluorine compounds (as HF)	Maximum	g/min	140.00000
DP26	Cracker stack	Particles	Maximum	g/min	1400.00000
		Particles (as PM ₁₀)	Maximum	g/min	1000.00000
TANKS	Emissions from Tanks and VRU (annual ave	Total volatile organic compounds	Maximum	t/year	450.00000

g/min = grams per minute

t/year = tonnes per year

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Appendix 6 –water discharge tables

Discharge Point ID	Discharge Point Name	Indicator	Limit Type	Unit	Discharge Limit
W1	Cooling water to Corio Bay	Flow Rate	Mean	ML/day	228.00000
W1	Cooling water to Corio Bay	Benzene, toluene, ethylbenzene, xylene	Annual median	mg/L	0.01000
W1	Cooling water to Corio Bay	Benzene, toluene, ethylbenzene, xylene	Maximum	mg/L	0.70000
W1	Cooling water to Corio Bay	Copper	Annual median	mg/L	0.00600
W1	Cooling water to Corio Bay	Copper	Maximum	mg/L	0.10000
W1	Cooling water to Corio Bay	Dissolved oxygen as mg/L	Minimum	mg/L	5.00000
W1	Cooling water to Corio Bay	Nickel	Annual median	mg/L	0.07000
W1	Cooling water to Corio Bay	Nickel	Maximum	mg/L	0.20000
W1	Cooling water to Corio Bay	Suspended solids	Above ambient	mg/L	5.00000

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W1	Cooling water to Corio Bay	Temperature	Maximum	degree (C)	35.00000
W1	Cooling water to Corio Bay	Temperature above ambient	Above ambient	degree (C)	12.00000
W1	Cooling water to Corio Bay	Total organic carbon	Above ambient	mg/L	10.00000
W1	Cooling water to Corio Bay	Total organic carbon	Annual median	mg/L	2.00000
W1	Cooling water to Corio Bay	Total residual chlorine	Maximum	mg/L	0.10000
W1	Cooling water to Corio Bay	Zinc	Annual median	mg/L	0.02000
W1	Cooling water to Corio Bay	Zinc	Maximum	mg/L	0.50000
Discharge Point ID	Discharge Point Name	Indicator	Limit Type	Unit	Discharge Limit
W3	TA Outfall	Flow Rate	Mean	ML/day	2.00000
W3	TA Outfall	Dissolved oxygen as mg/L	Minimum	mg/L	5.00000

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W3	TA Outfall	Suspended solids	Above ambient	mg/L	5.00000
W3	TA Outfall	Temperature	Maximum	degree (C)	35.00000
W3	TA Outfall	Temperature above ambient	Above ambient	degree (C)	12.00000
W3	TA Outfall	Total organic carbon	Above ambient	mg/L	10.00000
W3	TA Outfall	Total organic carbon	Annual median	mg/L	2.00000
W3	TA Outfall	Total residual chlorine	Maximum	mg/L	0.20000
Discharge Point ID	Discharge Point Name	Indicator	Limit Type	Unit	Discharge Limit
W4	BMC Outfall	Flow Rate	Mean	ML/day	35.00000
W4	BMC Outfall	Suspended solids	Above ambient	mg/L	5.00000
W4	BMC Outfall	Temperature	Maximum	degree (C)	35.00000

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W4	BMC Outfall	Temperature above ambient	Above ambient	degree (C)	12.00000
W4	BMC Outfall	Total organic carbon	Above ambient	mg/L	10.00000
W4	BMC Outfall	Total organic carbon	Annual median	mg/L	2.00000
W4	BMC Outfall	Total residual chlorine	Maximum	mg/L	0.20000
Discharge Point ID	Discharge Point Name	Indicator	Limit Type	Unit	Discharge Limit
W5	Area North Outfall	Flow Rate	Mean	ML/day	85.00000
W5	Area North Outfall	Benzene, toluene, ethylbenzene, xylene	Annual median	mg/L	0.01000
W5	Area North Outfall	Benzene, toluene, ethylbenzene, xylene	Maximum	mg/L	0.70000
W5	Area North Outfall	Copper	Annual median	mg/L	0.00600
W5	Area North Outfall	Copper	Maximum	mg/L	0.10000

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W5	Area North Outfall	Dissolved oxygen as mg/L	Minimum	mg/L	5.00000
W5	Area North Outfall	Nickel	Annual median	mg/L	0.07000
W5	Area North Outfall	Nickel	Maximum	mg/L	0.20000
W5	Area North Outfall	Suspended solids	Above ambient	mg/L	5.00000
W5	Area North Outfall	Temperature	Maximum	degree (C)	35.00000
W5	Area North Outfall	Temperature above ambient	Above ambient	degree (C)	12.00000
W5	Area North Outfall	Total organic carbon	Above ambient	mg/L	10.00000
W5	Area North Outfall	Total organic carbon	Annual median	mg/L	2.00000
W5	Area North Outfall	Total residual chlorine	Maximum	mg/L	0.10000
W5	Area North Outfall	Zinc	Annual median	mg/L	0.02000

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W5	Area North Outfall	Zinc	Maximum	mg/L	0.50000
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degree (C) = degrees Celsius

mg/L = milligrams per litre

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Appendix 7 – landfill cells

There are no landfill cells for this licence.