

12 Draft Statement of Commitments

12.1 General

Following the requirements of Part 3A of the EP&A Act, this section describes Shell's commitment to environmental mitigation, management and monitoring for the proposed upgrade to the HDS Unit.

12.2 Overview

The environmental assessment of the proposed HDS Unit upgrade has identified a range of environmental outcomes and management measures that would be required to avoid or reduce the environmental impacts of the project. Environmental mitigation, management and monitoring options have been proposed by Shell to reduce the environmental risk of the project. Where possible, the measures have been based on achieving a defined performance standard or implementing a proposed process.

Specific actions which aim to deliver the desired outcomes where practicable are based on:

- Developing project designs which are capable of achieving the outcomes
- Developing environment management and mitigation measures during the planning and design phase and
- Implementing, monitoring and review of these measures during the construction and operational phases.

Following approval of the Project, the finalised Commitments will guide the subsequent phases of the project development process to reduce impacts on the environment. Unless otherwise directed by the DoP or other relevant authority, Shell shall endeavor to comply with the following environmental commitments.

12.3 Statutory Commitments

Shell shall ensure that all licenses, permits and approvals are obtained and maintained as required throughout the life of the Project. Copies of all relevant licenses, permits and environmental approvals will be available on site at all times during the project.

12.4 Project Compliance

12.4.1 Responsibility

Shell shall be responsible for the project and the environmental impacts that may result.

12.4.2 Communications and Training

Reasonable steps will be taken to ensure that employees, contractors and sub-contractors are trained and are made aware of, and comply with, the conditions of the DoP's approval relevant to their respective activities. In addition, all employees, contractors and sub-contractors would be made aware of HSE responsibilities and potential consequences of departure from procedure.

12.4.3 Certification of Compliance

Prior to each of the events listed below, Shell shall certify in writing to the satisfaction of the Director-General that it has complied with all conditions of the DoP's approval applicable prior to that event:

- The commencement of any physical works associated with the project and
- Commissioning of the upgraded HDS Unit.

12.4.4 Report Updates

Any update reports with regard to compliance with all, or any part of, the conditions of approval shall be supplied upon request. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.

12.5 Management of Key Issues

Table 12-1 outlines the mitigative measures and safeguards that would be required to prevent or minimise environmental impacts from the upgraded HDS Unit.

Table 12-1 Summary of Environmental Commitments

Issue	Environmental Safeguard	Implementation stage	Responsibility
Construction Noise	All construction and operational noise to remain within regulatory limits, and noisy activities would be limited to day time hours	Construction	Shell
Land Use Safety	<p>Submit for the approval of the Director-General, a Construction Safety Study for the development, prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 7 - Construction Safety Study Guidelines. The Study shall specifically identify and address potential hazards associated with the construction of the development and its interaction with other parts of the Refinery while the works permitted under this approval are undertaken. Key issues to be considered are;</p> <ul style="list-style-type: none"> • leak point minimisation for all equipment handling H₂S; • Review of the location and quantity of the fixed H₂S monitors. The emphasis for 	Pre-construction	Shell

Issue	Environmental Safeguard	Implementation stage	Responsibility
	these should be placed on the monitors capacity to rapidly detect H ₂ S releases and activate emergency responses;		
Land Use Safety	Submit for the approval of the Director-General, a Hazard and Operability Study (HAZOP) of the development (and related systems). The Study shall be chaired by an independent, qualified person or team, approved by the Director-General, and shall be carried out in accordance with the Department's publication Hazardous Industry Planning Advisory Paper No. 8 - HAZOP Guidelines.	Pre-construction	Shell
Land Use Safety	Submit for DoP and NSW Fire Brigade a Fire Safety Study	Pre-construction	Shell
Land Use Safety	Review of existing emergency response plan and pre-incident plans for the HDS Unit and update where necessary	Pre-operation	Shell
Land Use Safety	Undertake a review of the Refinery's health, safety, security and environment management system to include the changes associated with the Project. The Project and subsequent works should be fully integrated into the system including regular auditing	Pre-operation	Shell
Land Use Safety	Include the HDS Unit upgrade in any activities undertaken in response to the pending NSW Major Hazard Facility (MHF) legislation	Upon gazettal of legislation	Shell
Waste Management	Spent catalyst would be handled in accordance with Shell's EPL and EPA guidelines.	Operation	Shell
Community Consultation	An information leaflet outlining the project and the potential impacts on surrounding residents would be distributed.	Pre-construction	Shell
CEMP	A construction environmental management plan would be prepared outlining environmental management measures to be adopted.	Pre-construction	Shell
Air Quality	Monitoring of HDS Unit stack would continue in accordance with Shell's EPL 570.	Operation	Shell

12.5.1 Community Information, Consultation and Involvement

Prior to the commencement of works, Shell shall ensure that the following are available for community complaints:

- A telephone number on which complaints about the Project may be registered
- A postal address to which written complaints may be sent and

- An email address to which electronic complaints may be transmitted.

The telephone number, the postal address and the email address shall be provided in a letterbox drop prior to the commencement of construction.

Details of all complaints received via those methods listed above as well as complaints received in person either at the refinery or elsewhere will be recorded in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:

- The date and time, where relevant, of the complaint
- The means by which the complaint was made (telephone, mail, email or in person)
- Any personal details of the complainant that were provided, or if no details were provided, a note to that effect
- The nature of the complaint
- Any action(s) taken in relation to the complaint, including any follow-up contact with the complainant and
- If no action was taken in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by the Director-General upon request. Summaries of the Register, without details of the complainants, will be made available to the public for inspection upon request.

All monitoring, including recording and reporting of monitoring results, as required by the DoP's approval and as may be specified in an EPL applicable to the Project will be undertaken. Such records will be retained on site in a legible format and will be made available to authorised persons upon request.

12.6 Environmental Management and Reporting

12.6.1 Construction Environmental Management Plan

A Construction and Environmental Management Plan (CEMP) will be prepared and implemented to outline environmental management practices and procedures to be followed during the construction phase of the Project. The CEMP would address the requirements of the DECC and a copy shall be submitted to the Director-General, DOP, prior to the commencement of any construction works.

12.6.2 Operational Environmental Management

Prior to the re-commissioning of the HDS Unit, Shell shall demonstrate to the Director-General that it has updated environmental and safety management systems for the refinery to reflect any necessary modifications.

Incident Reporting

The site has an incident reporting and investigation system that would be utilised if an incident occurred. This is a detailed and comprehensive system to ensure not only monitoring of incidents but also of the remedial response.

12.7 Validation of Commitment

Such commitments as identified above remain current for the life of the Project to the extent that they do not become subject to change as a result of some other form of subsequent agreement with recognised authorities or where they may contradict a legal or other requirement currently or subsequently imposed on the project or Shell that was not known at the time of making this commitment.

This commitment is made under authority of the following person, who is legally empowered to make this undertaking on behalf of Shell Refining (Australia) Pty Ltd:

Name	David Johnston
Position	Refinery Manager
Signature	<i>David Johnston</i>
Date	24/12/07