



6 November 2023



Downer EDI Rail Pty Ltd
Tower 3, Level 2, Trinity Business Campus, 39 Delhi Road
North Ryde NSW 2113

Department of
Transport and Main Roads

Dear Sir,

Contract Number: CN-21510
Queensland Train Manufacturing Program
Ormeau Facility PFAS Compliance Management Plan

I refer to your transmittal dated 2 November 2023 (QTMP-MNT-DOW-TRN-000119) requesting approval of a Compliance Management Plan (CMP) (Revision 0 dated 2 November 2023) for the Queensland Train Manufacturing Program (QTMP) Ormeau Facility in respect to the management of PFAS impacted soil and waters in accordance with the *Environmental Protection Act 1994* and *Environmental Protection Regulation 2019*.

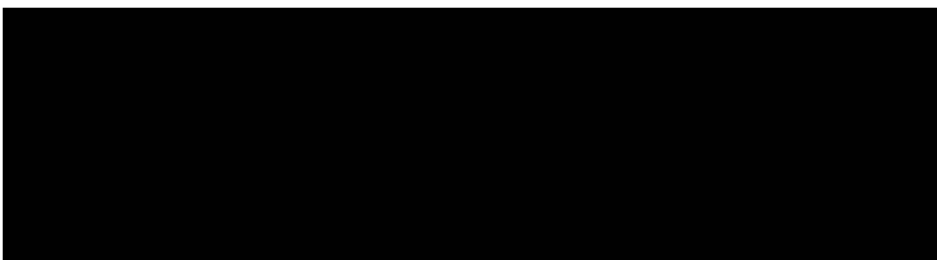
The Department of Transport and Main Roads (TMR) has consulted with the Department of Environment and Science (DES) as the administering agency of the *Environmental Protection Act 1994* and *Environmental Protection Regulation 2019*.

As a delegate of the chief executive of TMR as the administering agency of section 477G of the *Transport Infrastructure Act 1994*, I advise that the submitted documents are approved as a CMP for the QTMP, subject to the conditions in the approval notice attached. A copy of the approved CMP is attached with this letter.

If the Contractor complies with the approved CMP and the conditions of approval in the approval notice, it will be deemed to have met the requirements of the relevant law.

Please acknowledge receipt of this letter in writing to this office. The Department of Environment and Science have also been copied into this letter. I have authorised the publication of this approval letter on the department's website as required under the *Transport Infrastructure Act 1994*.

Yours sincerely,



Enc (1)
Approval Notice

Copies to;

[Redacted]

[Redacted]

Department of Environment and Science

[Redacted]

[Redacted]

Department of Transport & Main Roads

GPO Box 1549

Brisbane City Qld 4000

[Redacted]

For your information

[Redacted]

Attachment 1. Approval Notice

Compliance Management Plan - Queensland Train Manufacturing Program Ormeau Facility

Date of commencement	The CMP is effective from the date of this letter.
Date of expiry	31 December 2026
Compliance matters	Compliance Matter 1: Reuse of PFAS impacted water onsite. Compliance Matter 2: Reuse of soil with low level detectable PFAS for construction activities.
Relevant Law	<i>Environmental Protection Act 1994</i> <ul style="list-style-type: none">• s440ZG – Depositing prescribed water contaminants in waters and related matters• s319 – General Environmental Duty• s424 – Removal and treatment or disposal of contaminated soil <i>Environmental Protection Regulation 2019</i> <ul style="list-style-type: none">• ERA 60 – Waste Disposal
Guidance documents	<ul style="list-style-type: none">• PFAS National Environmental Management Plan (V2.0)• Australian Water Quality Guidelines
Relevant agencies	Department of Environment and Science, QLD
Conditions to approval	
Condition 1: Adoption of documents to address compliance issues For the purposes of section 477G(4) of the <i>Transport Infrastructure Act 1994</i> the documents below and the measures contained as indicated are adopted in this CMP as far as they relate to the compliance matters. Reference to the key measures that address compliance matters without limiting or derogating from any of the provisions of the documents, the Contract or associated documents. Document: <ul style="list-style-type: none">• Compliance Management Plan (Revision 0 dated 2 November 2023)	

Condition 2: Erosion and Sediment Control Plans

The Erosion and Sediment Control Plans (including soil loss risk assessments) to be developed a Certified Professional in Erosion and Sediment Control will:

- be in alignment with this CMP; and
- be provided to TMR by Downer, for the State's Representative's approval.

Soil with low level detectable PFAS will not be reused for construction activities until such approval is provided.

Condition 3: Onsite treatment of PFAS impacted water

Downer will provide the State with a method statement for onsite treatment of PFAS impacted water, for the State's Representative's approval.

That method statement will include, but not be limited to, further detail on:

- the treatment process
- the type, size and location of treatment plant
- the approach to verifying that treatment has achieved the relevant thresholds.

PFAS impacted water will not be treated onsite until such approval is provided.

Condition 4: Dealing with evidence of non-compliance

Trigger	Action
TMR or Downer becoming aware of non-compliance with this CMP	<ul style="list-style-type: none">• Downer will notify TMR of the non-compliance within 24 hours• TMR will consider if the non-compliance was an isolated or unavoidable incident, and if measures that were in place were effective in the circumstances.• Following TMRs consideration TMR will determine if it is necessary to notify Downer to commence corrective action• TMR will raise a notice via the project document control management system.
If, within 10 business days of issuing a correction action request, the corrective action has not rectified the breach of the CMP.	TMR will notify the DES with the following details: <ol style="list-style-type: none">1. Nature of the non-compliance2. Location of the non-compliance3. Impact of the non-compliance4. Actions taken to remediate. <p>At this point, the relevant agency may determine that the relevant compliance matter is not addressed and take action accordingly under existing legislative requirements.</p>

Condition 5: Breach of the CMP

Should the department, acting reasonably, determine Downer has failed to provide true and correct evidence that the compliance issues are being adequately addressed; or there is non-compliance with the provisions of the CMP, TMR will give notice to Downer of suspension of the CMP and:

- a. The CMP will be suspended from the time that TMR reasonably determines the breach occurred
- b. The relevant provisions of the relevant law will apply
- c. The CMP will be reinstated from the date TMR notifies Downer in writing.