

Application for the surrender of an environmental authorisation or ceasing of a Schedule 1 activity



This is the approved form for an application to surrender an environmental authorisation issued by the South Australian Environment Protection Authority (EPA) under the *Environment Protection Act 1993* (EP Act). The statutory framework for licence surrenders can be found in section 56 – *Surrender of environmental authorisation* in the EP Act.

Important notes

- If the activity for which this authorisation relates is to be undertaken by a different legal entity to that which currently holds the licence, an [authorisation transfer](#) may be more applicable. A transfer of licence is required in order to change the legal entity in control of the licence. This is only relevant to the context of closure where the licensed activities are not stopping permanently. The transfer must be applied for by both original licensee and the applicant/transferee. If you are unsure whether a transfer or surrender is more appropriate, please contact the EPA for advice on (08) 8204 2004 or email epalicensing@sa.gov.au
- Only a person authorised to act on behalf of the relevant authorisation holder may apply to surrender their environmental authorisation.
- All relevant attachments must be submitted with this application.
- An inspection by the EPA may be necessary to validate the residual environmental risks at the site. The findings from the licence surrender inspection may result in statutory notices being served to ensure that appropriate management and clean-up of the premises is undertaken prior to the surrender being approved.
- Fees for keeping an environmental authorisation are still applicable up until the surrender application is approved by the EPA.

Once completed, please email this form and all relevant attachments to epalicensing@sa.gov.au. This will be assessed by an Authorised Officer, and the EPA will notify you of the outcome.

Provisions which may apply during licence surrenders

Section 51 – Conditions requiring financial assurance

- Note that this application is not an application for release of financial assurance.
- While you may apply in writing to EPA to have a financial assurance amended or released at the same time you apply to surrender your licence, the EPA will not release the financial assurance until the surrender has been approved, and it is satisfied that the environmental liabilities are at an appropriate level and no costs will be incurred by third parties as a result of the activities undertaken at the site.

Section 52A – Conditions requiring closure and post-closure plans

- The EPA may impose a condition requiring the development of a closure and/or post-closure plan if it is determined necessary for preventing or minimising environmental harm or dealing with stockpiled and/or abandoned waste.
- Closure plan conditions may already form a part of your licence, or they may be imposed by the EPA once the assessment of this surrender application has taken place.
- Further information on closure plans can be found in the guideline on [Preparation and implementation of closure and post-closure plans](#) (EPA 2016).

Section 56(2) – Further licence conditions

- Upon receipt of a surrender application, the EPA may impose further licence conditions (including for closure plans) if deemed necessary for the protection of the environment
- These conditions may include requiring the development of a closure and/or post-closure plan (under section 52A).
- Once the EPA is satisfied that the imposed conditions have been or will be fulfilled, the surrender application may be approved.

Section 93A – Environment protection orders relating to cessation of activity

- The EPA may impose an environment protection order for the purpose of preventing or minimising environmental harm, or dealing with stockpiled or abandoned waste that may result from the cessation of the activity which the licence surrender relates.

Sections 103C and 103D – Appropriate persons to be issued with orders and liability for site contamination

- If there is new information following surrender, the EPA may revert to the former licensee should there is a risk resulting from site contamination for which the licensee has been determined to have liability.

1 Authorisation type

This is an application for the surrender of:

Licence

Works approval

Exemption

2 Applicant details

Name of authorisation holder (as it appears on the authorisation)	
EPA authorisation number	
Date of expiry of EPA authorisation	
Individual or business name	
Trading name (if different from above)	
Registered address or business address	
Postal address (state 'as above' if same as registered address)	
Contact person for application	
Phone	
Email	
Fax	

3 Licensed activities to be surrendered

Does the surrender refer to all the activities for which the authorisation was issued?

Yes

No – please list the activities for which this surrender application relates.

4 Activity status

Have the activities ceased for which this surrender application relates?

Yes – date(s) activities ceased:

No – proposed date(s) for activities ceasing:

5 Threshold activities

Applicants who indicate they have ceased carrying out a Schedule 1 activity must be aware that some activities are based on the total capacity of the plant and equipment itself.

Some threshold or capacity based activities, as prescribed in Schedule 1, include:

- 1(2)(a) – Chemical works
- 5 – Animal husbandry and other activities (ie cattle feedlots, piggeries)
- 6 – Food production and animal and plant product processing (ie meat processing works, breweries, produce processing works, wineries)
- 7 – Materials handling and transportation (ie bulk shipping facilities).

Unless the works have been decommissioned, removed or changed so that it cannot operate at or above a Schedule 1 threshold, the activity has not ceased and the surrender application may not be applicable.

Do you wish to surrender one or more activities that are based on a threshold, or the capacity of associated plant or equipment?

Yes

Receipts and/or a declaration from a suitably qualified person which confirms that the plant or equipment has been decommissioned or changed so that it can no longer be operated at the threshold considered to be a Schedule 1 activity. This evidence must be submitted with this application.

OR

Other documentation/evidence confirming that production rates will not exceed the threshold of a Schedule 1 activity must be submitted with this application.

OR

Other documentation/evidence confirming that associated plant or equipment will not be used above the Schedule 1 activity threshold must be submitted with this application.

No – the activity or activities to be surrendered are not based on a licensable threshold.

6 Site ownership and fate

Is the site in which the activities are being undertaken owned by the licence-holder?

Yes

No – the site is leased.

Are there currently any plans for the site where the activity of environmental significance is currently undertaken (ie continuing business with other activities, plans to sell the site, etc)? If so, please describe.

7 Reason for the surrender of the environmental authorisation.

Provide reasons for the surrender of the environmental authorisation (or cessation of a Schedule 1 activity).

8 Details of any residual environmental risks that remain, and actions taken or proposed to mitigate these risks (eg chemicals on site removed or have been removed)

For removal of chemicals, decommissioning of plant or equipment, evidence of this must be provided in the form of documentation and/or receipts (ie disposal at an authorised waste facility) and submitted at the time of this application.

9 Additional environmental information

Does your environmental authorisation include any conditions relating to monitoring, management or reporting?

Yes No

Are you aware of any section 83A notifications that have been associated with the environmental authorisation? Section 83As relate to the notification to the EPA of site contamination of underground water.

Yes – please specify below. No Unsure

Is there any underground infrastructure at the premises?

Yes No

Are there any landfills at the premises?

Yes – please specify below. No

If yes, do you have any rehabilitation or closure plans required as part of your licence?

Do you currently have any financial assurance held as part of the approved environmental authorisation? You will need to make a separate application for this to be released.

Yes No

10 Any other relevant information

11 Declaration

If the applicant is:

- a a company, body corporate or proprietary company, the following must sign this declaration – a director and/or the company secretary and/or a person appointed as a responsible officer.
- b a natural person(s) – each person or a person legally authorised by the applicant must sign this declaration.
- c a statutory body – a person whom the Minister has authorised must sign this declaration.
- d an incorporated association – a person(s) who is authorised under the rules of that association.

For government departments that do not involve a statutory body, the Minister or a person whom the Minister has authorised must sign this declaration.

For joint applications, all parties must sign this declaration.

A maximum penalty of up to \$120,000 applies for providing false or misleading information¹.

I/we hereby declare that the information provided in this application and accompanying documents, to the best of my knowledge, is true and correct.

Name:

Signature:

Position of signatory:

Date:

Name:

Signature:

Position of signatory:

Date:

Name:

Signature:

Position of signatory:

Date:

¹ See *Environment Protection Act 1993* section 119.