



Licence

Environmental Protection Act 1986, Part V

Licensee: Cleanaway Co Pty Ltd

Licence: L8789/2013/1

Registered office: Level 4, 441 St Kilda Road
MELBOURNE VIC 3004

ACN: 127 853 561

Premises address: 27-31 Vivian St
BOULDER WA 6432
Being Lot 389 on Plan 222104 as depicted in Schedule 1.

Issue date: Thursday, 26 September 2013

Commencement date: Monday, 30 September 2013

Date of amendment: 9 February 2024

Expiry date: Sunday, 29 September 2030

Prescribed premises category

Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Premises production or design capacity
39	Chemical or oil recycling: premises on which waste liquid hydrocarbons or chemicals are refined, purified, reformed, separated or processed.	Not applicable	6,000 tonnes per annual period

Conditions of licence

Subject to the conditions of the licence set out in the attached pages.

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Officer delegated under Section 20
of the *Environmental Protection Act 1986*



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Introduction

This introduction is not part of the licence conditions.

Who we are

The Department of Water and Environment Regulation (DWER) is a Government Department for the State of Western Australia in the portfolio of the Minister for Environment and Minister for Water. DWER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

Our industry licensing role

DWER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DWER works with the business owners, community, consultants, industry, and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DWER also monitors and audits compliance with works approvals and licence conditions. DWER takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the Act. Conditions contained within the licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the premises/licensee, the intention is not to replicate them in the conditions of this licence. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your premises, relevant statutory instruments include but are not limited to obligations under the:

- Environmental Protection (Unauthorised Discharges) Regulations 2004 – these regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the regulations;
- Environmental Protection (Controlled Waste) Regulations 2004 - these regulations place obligations on you if you produce, accept, transport or dispose of controlled waste; and



- Environmental Protection (Noise) Regulations 1997 – these regulations require noise emissions from the premises to comply with the assigned noise levels set out in the regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect, meaning that it will no longer be valid and you will need to apply for a new licence for your premises.

Ministerial conditions

If your premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and licence summary

Cleanaway Co Pty Ltd (Cleanaway) is a wholly owned subsidiary of Cleanaway Waste Management Limited. The premises is located within the township of Kalgoorlie. The site operates an oily water treatment plant involving phase separation, settling to remove solids and filtration to remove dissolved petroleum hydrocarbons. The facility receives low strength wash water which is gravity separated into water and solid oily wastes. All solid wastes are taken to the nearby Kalgoorlie Total Waste Management facility and liquid waste is disposed of at the City of Kalgoorlie-Boulder wastewater treatment plant (WWTP). All wastewater being discharged offsite to the City of Kalgoorlie-Boulder reticulated sewer system is required to meet the parameters as set out by this authority and so discharges to sewer are not controlled by this licence. The premises is regulated as to the amount of waste that is permitted to be discharged into the sewage system due to City of Kalgoorlie-Boulder requirements.

The premises has been assessed as a 'prescribed premises' category 39 under Schedule 1 of the Environmental Protection Regulations 1987. The licence enables the premises to accept category 6 and 14 bulk Controlled Waste and all categories (1 to 15) of packaged Controlled Waste under the Environmental Protection (Controlled Waste) Regulations 2004.

The main emissions controlled by this licence are odours associated with the operations. Cleanaway has implemented an odour management plan to mitigate odour emissions. A number of controls have been put in place to regulate and monitor odour.

This licence is for the operation of a facility previously operating under licence L7282/1996/7. Operating licence L7282 expired on 28 September 2013.

The licences and works approvals issued for the premises since 30/09/2013 are:

Instrument log		
Instrument	Issued	Description
L8789/2013/1	26/09/2013	New licence
L8789/2013/1	09/02/2024	Amended licence granted with updated licence holder name



Severance

It is the intent of these licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION

Licence conditions

1 General

1.1 Interpretation

1.1.1 In the licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this licence, unless the contrary intention appears:

“**the Act**” means the *Environmental Protection Act 1986*;

“**Annual Audit Compliance Report (AACR)**” means a report submitted in a format approved by the CEO (relevant guidelines and templates may be available on the Department’s website).

“**annual period**” means the inclusive period from 1 October until 30 September in the following year;

“**AS/NZS 5667.1**” means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

“**AS/NZS 5667.10**” means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

“**averaging period**” means the time over which a limit or target is measured or a monitoring result is obtained;

“**code of practice for the storage and handling of dangerous goods**” Department of Mines and Petroleum, 2010, *Storage and handling of dangerous goods — code of practice* (2nd edition): Resources Safety, Department of Mines and Petroleum, Western Australia;

“**controlled waste**” has the definition in Environmental Protection (Controlled Waste) Regulations 2004;

“**dangerous goods**” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

“**CEO**” means Chief Executive Officer of the Department

“submit to / notify the CEO” (or similar), means either

Director General

Department administering the *Environmental Protection Act 1986*

Locked Bag 10

Joondalup DC WA 6919

or:



info@dwer.wa.gov.au

“environmentally hazardous material” means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

“fugitive emissions” means all emissions not arising from point sources identified in Sections 2.2, 2.3, 2.4 and 2.5;

“licence” means this licence numbered L7282/1996/8 and issued under the *Environmental Protection Act 1986*;

“licensee” means the person or organisation named as Licensee on page 1 of the Licence;

“NATA” means the National Association of Testing Authorities, Australia;

“NATA accredited” means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

“placard quantity” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

“premises” means the area defined in the premises map in Schedule 1 and listed as the premises address on page 1 of the licence;

“Schedule 1” means Schedule 1 of this licence unless otherwise stated;

“Schedule 2” means Schedule 2 of this licence unless otherwise stated; and

“spot sample” means a discrete sample representative at the time and place at which the sample is taken.

1.1.3 Any reference to an Australian or other standard in the licence means the relevant parts of the current version of that standard.

1.1.4 Any reference to a guideline or code of practice in the licence means the current version of the guideline or code of practice.

1.2 General conditions

1.2.1 Nothing in the licence shall be taken to authorise any emission that is not mentioned in the licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The licensee shall maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.



- 1.2.3 The licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage of dangerous goods.
- 1.2.4 The licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.5 The licensee shall:
- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the premises.¹
- Note1: The Environmental Protection (Unauthorised Discharges) Regulations 2004 make it an offence to discharge certain materials into the environment.

1.3 Premises operation

There are no specified conditions relating to premises operation in this section.

2 Emissions

2.1 General

- 2.1.1 The licensee shall record and investigate the exceedance of any descriptive or numerical limit and/or target in this section.

2.2-2.4 Point source emissions to air, surface water or groundwater

There are no specified conditions relating to point source emissions to air, surface water or groundwater in this section.

2.5 Emissions to land

There are no specified conditions relating to emissions to land in this section.

2.6 Fugitive emissions

There are no specified conditions relating to fugitive emissions in this section.

2.7 Odour

- 2.7.1 The licensee shall ensure that odour emitted from the premises does not unreasonably interfere with the health, welfare or amenity of any person who is not on the premises.
- 2.7.2 The licensee shall implement and maintain an odour management plan and review the plan annually.

2.8 Noise

There are no specified conditions relating to noise in this section.



3 Monitoring

There are no specified conditions relating to monitoring in this section.

4 Improvements

4.1 Improvement program

There are no specified improvement conditions in this section.

5 Information

5.1 Records

5.1.1 All information and records required by the licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 5.1.1(d) be retained for at least six years from the date the records were made or until the expiry of the licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

5.1.2 The licensee shall ensure that:

- (a) any person left in charge of the premises is aware of the conditions of the licence and has access at all times to the licence or copies thereof; and
- (b) any person who performs tasks on the premises is informed of all of the conditions of the licence that relate to the tasks which that person is performing.

5.1.3 The licensee shall:

- (a) complete an audit of their compliance with the conditions of this licence during the preceding annual period; and
- (b) prepare and submit to the CEO, within 30 calendar days after the end of the annual period, an Annual Audit Compliance Report in the approved form.

5.1.4 The licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the premises and any action taken in response to the complaint.

5.2 Reporting

5.2.1 The licensee shall submit to the Director CEO an Annual Environmental Report (AER) within 30 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.



Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the annual period and any action taken	None specified
5.1.4	Complaints summary	None specified
-	Oily waste inventory - volume of each load received at the premises and origin of each load of waste oil	

- 5.2.2 The licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under condition 3;
 - (b) an assessment of the information contained within the report against previous monitoring results and licence limits and/or targets; and
 - (c) a list of any original monitoring reports submitted to the licensee from third parties for the annual period and make these reports available on request.

5.3 Notification

- 5.3.1 The licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
2.1.1	Breach of any limit specified in the licence	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1
-	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution		

Note 1: Notification requirements in the licence shall not negate the requirement to comply with s72 of the Act



Schedule 1: Maps

Premises map

The premises is shown in the map below. The pink line depicts the premises boundary.

