



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** David Gray & Co. Pty Ltd

**Licence:** L8444/2010/4

**Registered office:** 2 Rawlinson Street  
O'CONNOR WA 6163

**ACN:** 008 671 127

**Premises address:** 2 Rawlinson Street  
O'CONNOR WA 6163  
Being Lot 112, 113, 114 and 119 on Plan 6759 as depicted in  
Schedule 1.

**Issue date:** Friday, 09 April 2010

**Commencement date:** Tuesday, 13 October 2015

**Expiry date:** Monday, 12 October 2020

**Prescribed premises category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
31	Chemical manufacturing: premises on which chemical products are manufactured by a chemical process.	100 tonnes or more per year	150 tonnes per annual period
33	Chemical blending or mixing: premises on which chemicals or chemical products are mixed, blended or packaged in a manner that causes or is likely to cause a discharge of waste into the environment.	500 tonnes or more per year	1200 tonnes per annual period

**Conditions**

This Licence is subject to the conditions set out in the attached pages.

Date signed: 9 October 2015

.....  
**Lauren Trott**

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



## Contents

Licence	1
Contents	2
Introduction	2
Licence conditions	5
1 General	5
2 Monitoring	7
3 Information	8
Schedule 1: Maps	9
Schedule 2: Reporting & notification forms	11

## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

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

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, 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 licence conditions. 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.
- *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**

David Gray & Co Pty Ltd commenced its operations in 1939, manufacturing stock feeds for WA farmers. The company has since expanded its operations and currently manufactures, packages and distributes a wide range of agricultural and household chemicals and fertilisers. The Company has been operating from its current location for approximately 45 years.

David Gray also bottles distilled water and distributes SULO brand wheelie bins.

David Gray has been manufacturing fish emulsion fertiliser at this premises since 2001 on a smaller scale but has recently increased production to above 100TPA. This manufacturing process has been deemed to fall under Category 31 – Chemical manufacturing as chemicals are used in its manufacture and fertiliser is classed as a chemical product. The licence now includes this Category 31 activity.

### The processes undertaken at the premises comprise of:

Chemicals and pesticides: The chemicals and pesticides that are blended at the premises are made by mixing. There are no chemical processes used. Chemicals brought on-site are either mixed chemical and chemical or chemical and sand. The chemicals are re-packaged ready for distribution to retail outlets. All Chemicals are stored within bunded sheds.

Fish Emulsion: Fish carcasses are brought on site in enclosed plastic bins. The fish is minced, then chemicals are added to generate and stabilise the fertiliser. Product is stored in 50 000 litre silos prior to filtering, 1000 litre IBCs after filtering and decanting into small to large pack size containers for retail. Waste generated at the fish emulsion plant is stored in 1000 litre IBCs and removed by a farmer (to be used as fertiliser) as required or re-worked in consecutive batches. The fish emulsion process is the only process which falls under category 31.

Aerosols: Aerosol cans are filled by hand in a three walled aerosol shed.

Animal feed: Animal feeds are made by mixing molasses with grains and minerals in an enclosed shed. The premises manufactures less than 1,000TPA of animal feed so is below the prescribed premises capacity for category 23.

The main potential emissions to the environment are odour from the fish emulsion shed and contamination of groundwater and soil from the storage of chemicals. David Gray has standard work procedures in place to control these aspects.

This Licence is the successor to licence L8444/2010/3 and includes amended licence conditions to control odour from the fish emulsion process.



The licences and works approvals issued for the Premises since 16/7/1993 are:

Instrument log		
Instrument	Issued	Description
L4220	16/7/1993	New EP Act licence
L5037	11/7/1994	Licence re-issue
L6027	20/9/1995	Licence re-issue
L6027	28/11/1996	Licence re-issue
L6027/2	30/10/1997	Licence re-issue
L6027/3	1/12/1998	Licence re-issue
L6027/4	13/10/1999	Licence re-issue
L6027/1993/5	13/9/2000	Licence re-issue
L6027/1993/6	10/10/2001	Licence re-issue (rendering conditions added)
L6027/1993/7	11/10/2002	Licence re-issue(groundwater monitoring conditions added)
L6027/1993/8	30/9/2003	Licence re-issue (removal of on-site wastewater disposal)
L6027/1993/9	30/8/2004	Licence re-issue
L6027/1993/10	10/10/2005	Licence re-issue
L6027/1993/11	29/9/2006	Licence re-issue
L6027/1993/11	7/9/2007	Licence amendment (change to monitoring location)
L8444/2010/1	13/5/2010	Ceased licence, new issue
L8444/2010/2	6/10/2011	Licence re-issue
L8444/2010/3	11/10/2012	Licence re-issue to include category 31 for fish emulsion production and changes to licence format.
L8444/2010/4	7/10/2015	Licence re-issue and changes some licence conditions and format.

### 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:

**'Act'** means the *Environmental Protection Act 1986*;

**'AHD'** means the Australian height datum;

**'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 5667.11'** means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

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

**'CEO'** means Chief Executive Officer of the Department of Environment Regulation;

**'CEO'** for the purpose of correspondence means;

Chief Executive Officer  
Department Administering the Environmental Protection Act 1986  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Email: info@der.wa.gov.au

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

**'Licence'** means this Licence numbered L2013/2010/4 and issued under the Act;

**'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;

**'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;



**'six monthly'** means the 2 inclusive periods from 1 October to 31 March and 1 April to 30 September in the following year;

**'spot sample'** means a discrete sample representative at the time and place at which the sample is taken;

**'usual working day'** means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 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 General conditions**

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

1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.3 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.<sup>1</sup>

Note1: *The Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

## **1.3 Premises operation**

1.3.1 The Licensee shall ensure that all raw materials for fish emulsion manufacture are received and stored on the premises in sealed containers.

1.3.2 The Licensee shall manage fish emulsion activities in accordance with;

- (a) Procedure for Mincing and Grinding of Fish Offal, David Gray & Co Pty Ltd, 31 July 2012;
- (b) Standard Production Formula – Fish Emulsion, David Gray & Co Pty Ltd, 31 July 2012; and
- (c) Standard Work Procedure Sanitation – Fish Emulsion Shed, David Gray & Co Pty Ltd, 31 July 2012.

1.3.3 The Licensee shall process and stabilise raw fish and seafood within 15 hours from the time of receipt to prevent unreasonable odour emissions.

1.3.4 The Licensee shall undertake all washing activities in the dedicated wash bay.



## 2 Monitoring

### 2.1 General monitoring

2.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
- (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured.

2.1.2 The Licensee shall ensure that six monthly monitoring is undertaken at least 5 months apart.

### 2.2 Ambient environmental quality monitoring

2.2.1 The Licensee shall undertake the monitoring in Table 2.2.1 according to the specifications in that table.

<b>Table 2.2.1: Monitoring of groundwater quality</b>				
<b>Monitoring point reference &amp; location</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging period</b>	<b>Frequency</b>
BH1, BH2 & BH6 on Map of monitoring locations in Schedule 1	Standing water level	m(AHD)	Spot sample	Six monthly (March & September)
	pH	-		
	Electrical conductivity	µS/cm		
	Total dissolved solids (TDS)	mg/L		
	Total petroleum hydrocarbons	µg/L		
	Chlorpyrifos			
	Diazinon			
	Aldrin			
	BHCs			
	Chlordane			
	Dieldrin			
	Endosulphan I			
	Endosulphan II			
	Endosulphan sulphate			
	Heptachlor			
	Heptachlor epoxide			
	Oxychlordane			
Malathion				





### 3 Information

#### 3.1 Records

- 3.1.1 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 3.1.1(d) be retained for at least 6 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.
- 3.1.2 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.
- 3.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 3.1.4 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.

#### 3.2 Reporting

- 3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

Table 3.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
N/A	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
3.1.3	Compliance	Annual Audit Compliance Report (AACR)
3.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

- 3.2.2 The Licensee shall submit the information in Table 3.2.2 to the Director according to the specifications in that table.

Table 3.2.2: Non-annual reporting requirements			
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)
Table 2.2.1	Groundwater quality	Six monthly (October to March & April to September)	28 calendar days





# Schedule 1: Maps

## Premises map

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



**LEGEND**

- Local Government Authorities
- Road Centrelines
- Swan River Trust Development Control Area
- Perth Metropolitan Central  
15cm Orthomosaic -  
Landgate 2011

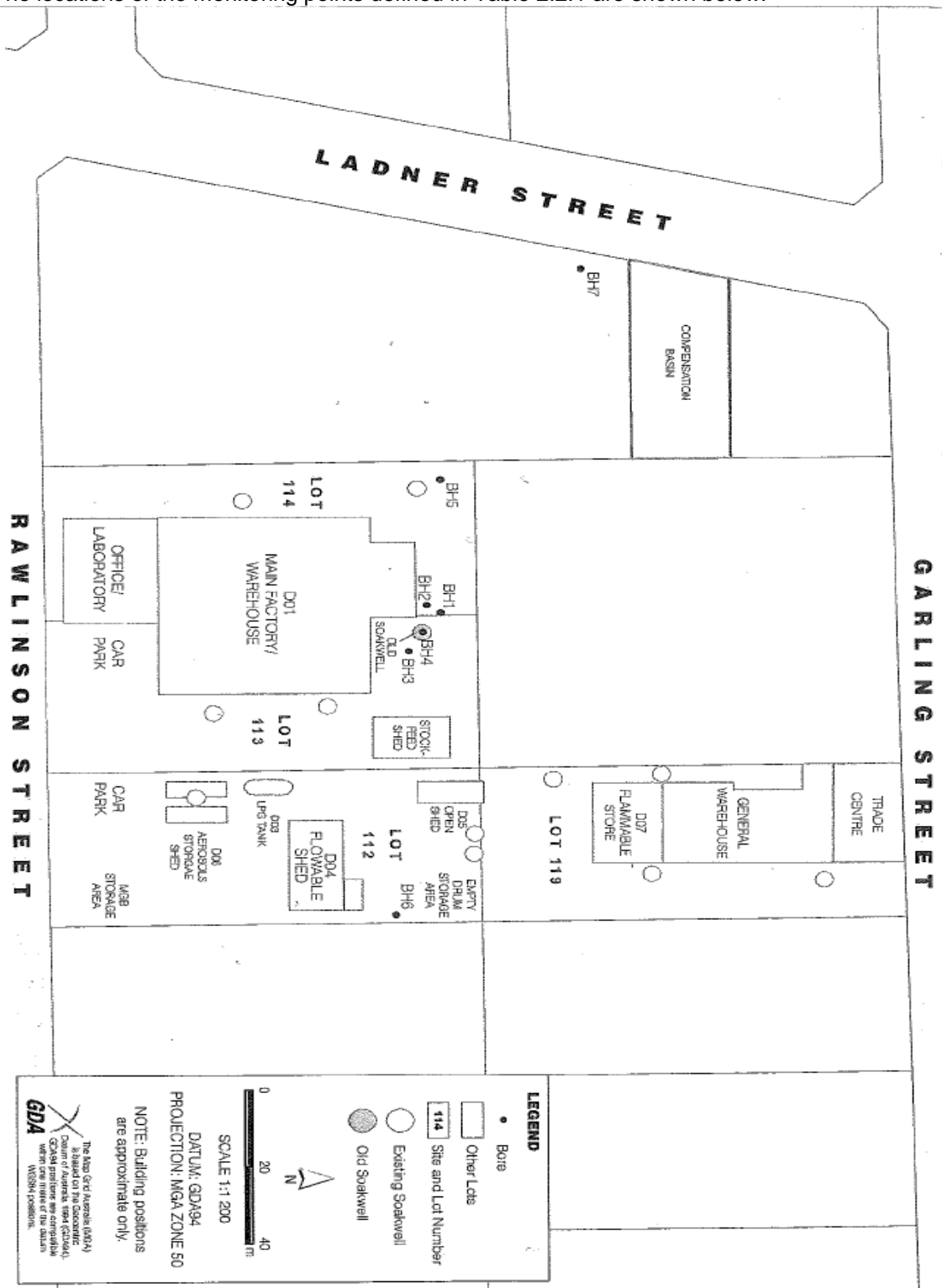
Scale 1:2018  
 (Approximate when reproduced at Letter)  
 Geocentric Datum Australia 1994  
 Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.  
 Prepared by: Jessica  
 Prepared for:  
 Date: 23/08/2012 11:15:27 AM  
 Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.  
  
 Department of Environment and Conservation  
 Our environment, our future  
 WA Crown Copyright 2012

\* Project Data. This data has not been quality assured. Please contact map author for details.



### Map of monitoring locations

The locations of the monitoring points defined in Table 2.2.1 are shown below.





## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period:  _____ to _____	

#### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

- Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes  Please proceed to Section C

No  Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:





## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)







# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** David Gray & Co. Pty Ltd

**Licence:** L8444/2010/4

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**Registered office:** 2 Rawlinson Street  
O'CONNOR WA 6163

**ACN:** 008 671 127

**Premises address:** 2 Rawlinson Street  
O'CONNOR WA 6163  
Being Lot 112, 113, 114 and 119 on Plan 6759 as depicted in Schedule 1.

**Issue date:** Friday, 9 October 2015

**Commencement date:** Tuesday, 13 October 2015

**Expiry date:** Monday, 12 October 2020

### **Decision**

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue a licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Richard Wilson  
Licensing Officer

Decision Document authorised by: Lauren Trott  
Delegated Officer





## Contents

Decision Document	1
Contents	2
1 Purpose of this Document	2
2 Administrative summary	3
3 Executive summary of proposal and assessment	4
4 Decision table	5
5 Advertisement and consultation table	10
6 Risk Assessment	10

### 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



## 2 Administrative summary

Administrative details							
Application type	Works Approval <input type="checkbox"/> New Licence <input checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>						
Activities that cause the premises to become prescribed premises	<table border="1"> <thead> <tr> <th>Category number(s)</th> <th>Assessed design capacity</th> </tr> </thead> <tbody> <tr> <td>31</td> <td>150 tonnes per year</td> </tr> <tr> <td>33</td> <td>1,200 tonnes per year</td> </tr> </tbody> </table>	Category number(s)	Assessed design capacity	31	150 tonnes per year	33	1,200 tonnes per year
	Category number(s)	Assessed design capacity					
	31	150 tonnes per year					
33	1,200 tonnes per year						
Application verified	Date: 3/07/2015						
Application fee paid	Date: 16/07/2015						
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>						
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>						
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
Commercial-in-confidence claim outcome	N/A						
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>						
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Ministerial statement No: EPA Report No:						
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.						
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.						



### **3 Executive summary of proposal and assessment**

David Gray & Co Pty Ltd commenced its operations in 1939, manufacturing stock feeds for WA farmers. The company has since expanded its operations and currently manufactures, packages and distributes a wide range of agricultural and household chemicals and fertilisers. The company has been operating from the O'Connor premises for approximately 45 years.

David Gray also bottles distilled water and distributes SULO brand wheelie bins.

David Gray has been manufacturing fish emulsion fertiliser at this premises since 2001 on a smaller scale but has recently increased production to above 100TPA. This manufacturing process has been deemed to fall under Category 31 – Chemical manufacturing as chemicals are used in its manufacture and fertiliser is classed as a chemical product. The licence now includes this Category 31 activity.

The processes undertaken at the premises comprise of:

Chemicals and pesticides: The chemicals and pesticides that are blended at the premises are made by mixing. There are no chemical processes used. Chemicals brought on-site are either mixed as chemical with chemical, or chemical with sand. The chemicals are re-packaged ready for distribution to retail outlets. All Chemicals are stored within bunded sheds.

Fish Emulsion: Fish carcasses are brought on site in enclosed plastic bins. The fish is minced, then chemicals are added to generate and stabilise the fertiliser. Product is stored in 50 000 litre silos prior to filtering, 1000 litre IBCs after filtering and decanting into small to large pack size containers for retail. Waste generated at the fish emulsion plant is stored in 1000 litre IBCs and removed by a farmer (to be used as fertiliser) as required, or re-worked in consecutive batches. The fish emulsion process is the only process which falls under category 31.

Aerosols: Aerosol cans are filled by hand in a 3-walled aerosol shed.

Animal feed: Animal feeds are made by mixing molasses with grains and minerals in an enclosed shed. The premises manufactures less than 1,000 tonnes per annum of animal feed so is below the prescribed premises capacity for category 23.

The main potential emissions to the environment are odour from the fish emulsion shed and contamination of groundwater and soil from the storage of chemicals. David Gray has standard work procedures in place to mitigate potential emissions from these sources.

This decision document has risk assessed conditions relating to emissions which have been added or removed. Where conditions have been retained from the previous licence they have not been reassessed.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions and premises operation	L1.2.1 - 1.2.3 L2.2.1	<p><b>Operation</b></p> <p><u>Emission Description</u>  <i>Emission:</i> Materials such as waste, wash waters, and chemicals stored and used on site contaminating stormwater or flowing off site.  <i>Impact:</i> Contamination of soil and/or groundwater. The nearest public drinking water source area (PDWSA) is located approximately 5km south east of the premises. Groundwater is approximately 17m below ground level. Contamination of groundwater with fuels or chemical solutions may have limited localised impacts.  <i>Controls:</i> All materials likely to cause contamination are stored within bunding or buildings. All operational areas within the site are hardstand. Clean stormwater is diverted away from contamination sources and discharges to the on-site drainage system. Wash waters drain to a lined sump that is pumped out and disposed of by a third party contractor.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u>            Condition 1.2.1 requires the Licensee to maintain all pollution control equipment; condition 1.2.2 requires the Licensee to clean up any chemical spills; and condition 1.2.3 requires the Licensee to implement all practical measures to prevent stormwater</p>	L8444/2010/3



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>run-off becoming contaminated and to treat contaminated or potentially contaminated stormwater as necessary prior to being discharged.</p> <p>Conditions 1.3.1 and 1.3.3 from the previous licence prescribe how potentially contaminating substances should be stored on the premises. These conditions have not been included in the licence as the risk is adequately controlled by other conditions. Condition 1.3.4 requires all wash down to occur in a dedicated wash bay.</p> <p>Condition 2.2.1 requires the licensee to conduct 6 monthly ambient groundwater monitoring and condition 3.2.2 requires the licensee to submit the results to DER.</p> <p>The premises is also subject to the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> (UDRs) and the general provisions of the <i>Environmental Protection Act 1986</i> (The EP Act).</p> <p><u>Residual Risk</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Residual Risk Rating:</i> Low</p>	
<b>Fugitive emissions</b>	N/A	<p>Conditions 2.6.1 and 2.6.2 from the previous licence have not been included in the new licence as per the below risk assessment.</p> <p><b>Operation</b>  <u>Emission Description</u>  <i>Emission:</i> Fugitive dust emissions from general site operations.  <i>Impact:</i> Reduced local air quality. Nuisance dust affecting neighbouring businesses within 20m of the premises. The premises is located with an industrial area and is approximately 50m from the nearest residence.  <i>Controls:</i> Trafficable and operational areas are hardstand with the process areas being within an enclosed building.</p>	<p>L8444/2010/3</p> <p><i>Environmental Protection Act 1986</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Risk Assessment</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u>            No regulatory controls are required as the risk is low. The general provisions of the EP Act apply.</p> <p><u>Residual Risk</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Residual Risk Rating:</i> Low</p>	
<b>Odour</b>	L1.3.1 – 1.3.4	<p>Condition 2.7.1 from the previous licence has not been included on the licence as per the risk assessment below.</p> <p><b>Operation</b>  <u>Emission Description</u>  <i>Emission:</i> Fugitive odour emissions from premises operations; mainly the fish emulsion process.  <i>Impact:</i> Nuisance odour impacts on neighbouring businesses and residences.  <i>Controls:</i> All operations likely to be odourous take place within the building. Operating procedures are in place for the fish emulsion activity.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Minor  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Low</p>	L8444/2010/3



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Regulatory Controls</u> Conditions 1.3.1 – 1.3.3 have been included to ensure that the processing of potentially odourous material is done so in a manner that will minimise any odour emission. The general provisions of the EP Act also apply.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Residual Risk Rating:</i> Low</p>	
<b>Noise</b>		<p>The site is located in the O'Connor industrial area and approximately 50m from the nearest residence. DER has not received any noise complaints regarding the site operations. Noise emissions have not been reassessed in the granting of this licence.</p> <p>The site is subject to the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>	<i>Environmental Protection (Noise) Regulations 1997</i>
<b>Monitoring general</b>	L2.1.1 - 2.1.2	General monitoring requirements from the previous licence have been carried over to this licence. These conditions have not been reassessed.	L8444/2010/3
<b>Ambient quality monitoring</b>	L2.2.1	<p>Ambient groundwater quality monitoring requirements from the previous licence have been carried over to this licence. As the site does not use or store the following chemicals and six monthly groundwater monitoring shows they have not been detected in groundwater they have been removed from table 2.2.1 as they are considered irrelevant.</p> <ul style="list-style-type: none"> <li>• Dichlorodiphenyldichloroethylene (DDE)</li> <li>• Dichlorodiphenyldichloroethane (DDD)</li> <li>• Dichlorodiphenyltrichloroethane (DDT)</li> <li>• Hexachlorobenzene (HCB)</li> <li>• Ethion</li> <li>• Fenitrothion</li> </ul>	L8444/2010/3





<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Information</b>	L3.1.1-3.1.4 L3.2.1	Condition 5.1.5 from the previous licence has not been included in the licence. The intention of this condition is covered by the <i>Environmental Protection (Controlled Waste) Regulations 2004</i> .  All other information requirements from the previous licence have been included and have not been reassessed.	L8444/2010/3
<b>Licence Duration</b>		As the site has been assessed as low risk the licence has been issued for 5 years	



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
27/07/2015	Application advertised in West Australian (or other relevant newspaper)	No comments received	N/A
05/10/2015	Draft instrument sent to applicant for comment.	Minor comments on decision document  Request removal of monitoring for some pesticides as they are no longer manufactured on site.	Decision document updated.  Licence amended to reflect this and decision document updated for removal of some parameters/analytes for ambient groundwater monitoring.

## 6 Risk Assessment

*Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management*

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High