



Licence

Environmental Protection Act 1986, Part V

Licensee: Fulton Hogan Industries Pty Ltd

Licence: L7773/1993/5

Registered office: Level 1 Building 7 Botanica Corporate Park
572 Swan Street
RICHMOND VIC 3005

ACN: 000 538 689

Premises address: Fulton Hogan Asphalt Plant
Lot 988 on Plan 210693
Peawah Street
WEDGEFIELD WA 6721
As depicted in Schedule 1

Issue Date: Thursday, 29 October 2015

Commencement Date: Saturday, 30 October 2015

Expiry Date: Friday, 30 January 2017

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
35	Asphalt manufacturing: premises on which hot or cold mix asphalt is produced using crushed or ground rock aggregates mixed with bituminous or asphaltic materials for use at place or premises other than those premises	Not applicable	30,000 tonnes per year

Conditions

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

Date signed: 29 October 2015

.....
Ed Schuller
Senior Manager Industry Regulation (Process Industries)
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.

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

Fulton Hogan Industries Pty Ltd has operated this site for over 20 years and the nearest sensitive receptors are the residences within the town of South Hedland, which is approximately 3km south of the site. The nearest water body is the Indian Ocean, approximately 3km to the north and the Turner River Water Reserve - Public Drinking Water Source Area (PDWSA), which is approximately 8km south-east of the premises.

The asphalt plant is a diesel fired mobile drum mixer with a production capacity of 70 tonnes per hour. The process uses a mixture of graded, high quality aggregate and liquid bitumen, which is heated and mixed in measured quantities to produce hot mix asphalt materials. The main emission of concern is dust. Dust emissions are controlled through the use of a bag house filter.

This Licence is the successor to L7773/1993/5 and takes into account changes in the licence format.

The licences and works approvals issued for the Premises since 28/10/2010 are:

Instrument log		
Instrument	Issued	Description
W4825/2010/1	27/01/2011	Works approval was assessed after the licence was issued as the site was already operating for the past 2 years.
L7773/1993/5	28/10/2010	This licence was originally for a mobile asphalt plant under Pioneer Road Services Pty Ltd operating out of Midland DC WA 6936. This plant was moved to Wedgefield in the Pilbara Region and so the licence was updated and reissued.
L7773/1993/5	05/07/2013	DER amendment to covert to REFIRE format.
W5539/2013/1	16/01/2014	Works Approval issued for the installation of a new Benninghoven mobile asphalt plant.
L7773/1993/5	18/12/2014	Amendment to modify conditions consistent with installation of bag house dust suppression technology and increase design capacity to 30,000 tonnes per year.
L7773/1993/6	29/10/2015	Licence reissue

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*;

'annual period' means the inclusive period from 1 January until 31 December in that year;

'AS 4323.1' means the Australian Standard AS4323.1 *Stationary Source Emissions Method 1: Selection of sampling positions*;

'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;

'dark smoke' means smoke which, when viewed from any point outside the premises boundary, at a distance of not less than 5 metres from its source, and compared with a chart known as the Australian Miniature Smoke Chart (AS 3543 1989) or, the BS Ringlemann Chart (BS 2742C), would appear darker than shade one on those charts;

'Licence' means this Licence numbered L7773/1993/6 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;

'normal operating conditions' means any operation of a particular process (including abatement equipment) excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

'PM' means total particulate matter including both solid fragments of material and miniscule droplets of liquid;

'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;



'shut-down' means the period when plant or equipment is brought from normal operating conditions to inactivity;

'start-up' means the period when plant or equipment is brought from inactivity to normal operating conditions;

'STP dry' means standard temperature and pressure (0°Celsius and 101.325 kilopascals respectively), dry;

'USEPA' means United States (of America) Environmental Protection Agency;

'USEPA Method 2' means United States (of America) Environmental Protection Agency Method for Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S Pilot Tube);

'USEPA Method 5' means United States (of America) Environmental Protection Agency Method for Determination of Particulate Matter Emission From Stationary Sources;

'USEPA Method 6C' means United States (of America) Environmental Protection Agency Method for Determination of Sulfur Dioxide Emissions From Stationary Sources (Instrumental Analyzer Procedure);

'USEPA Method 7E' means United States (of America) Environmental Protection Agency Method for Determination of Nitrogen Oxides Emissions From Stationary Sources (Instrumental analyser Procedure);

'USEPA Method 10' means United States (of America) Environmental Protection Agency Method for Determination of Carbon Monoxide Emissions From Stationary Sources (Instrumental Analyzer Procedure);
and

'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.

Note 1: 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 automatic safeguards are incorporated within the process to prevent the ignition of bitumen within the drum.
- 1.3.2 The Licensee shall ensure that:
- (a) the baghouse is operational prior to start up of the drier and operated continuously whilst the drier is operating;
 - (b) the baghouse filters are regularly inspected; and
 - (c) when detected, blocked, frayed or leaking, baghouse filters are immediately replaced.
- 1.3.3 The Licensee shall ensure that bulk materials are stored in a manner which minimises the generation of airbourne dust.



2 Emissions

2.1 General

2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit specified in any part of section 2 of this Licence.

2.2 Point source emissions to air

2.2.1 The Licensee shall ensure that where waste is emitted to air from the emission points in Table 2.2.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this Licence.

Table 2.2.1: Emission points to air

Emission point reference	Emission Point	Emission point height (m)	Source, including any abatement
A1	Stack receiving scrubbed gases from drum drier	6 m	Drum mixer Bag house

2.2.2 The Licensee shall not cause or allow point source emissions to air greater than the limits listed in Table 2.2.2.

Table 2.2.2: Point source emission limits to air

Emission point Reference	Parameter	Limit (including units) ^{1,2}	Averaging period
A1	PM	50 mg/m ³	Stack Test (Minimum 60 minute tests)
A1	Carbon monoxide	500 mg/m ³	Stack Test (Minimum 30 minutes tests)
A1	Nitrogen oxides	350 mg/m ³	Stack Test (Minimum 30 minutes tests)
A1	Sulfur dioxide	350 mg/m ³	Stack Test (Minimum 30 minutes tests)

Note 1: All units are referenced to STP dry

Note 2: Concentration units for A1 are referenced to 17% O₂. Correction for continuous monitoring should be made continuously.

2.2.3 The Licensee shall take all practical measures to ensure that the process control parameters in Table 2.2.3 comply with the relevant requirement in that table.

Table 2.2.3: Process controls for emissions to air

Parameter	Requirement ¹	Averaging period
Exit velocity of exhaust gases from stack	> 12 m/s	Continuous

2.2.4 The licensee shall ensure that the emission of dark smoke from all stacks on the entire premises shall not continue for greater than a period of 20 minutes in aggregate in any 24 hour period.



3 Monitoring

3.1 General monitoring

- 3.1.1 The Licensee shall ensure that all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured unless indicated otherwise in the relevant table.
- 3.1.2 The Licensee shall record production or throughput data and any other process parameters relevant to any monitoring undertaken.
- 3.1.3 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications.
- 3.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to air

- 3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.



Table 3.2.1: Monitoring of point source emissions to air

Emission point reference	Parameter	Units ^{1,3}	Averaging period	Frequency ²	Method
A1	Volumetric flow rate	m ³ /s	n/a	Annual	USEPA Method 2
	PM	mg/m ³ g/s	60 minute minimum		USEPA Method 5 or 17
	Sulfur dioxide	mg/m ³ g/s	30 minute minimum		USEPA Method 6C
	Nitrogen oxides	mg/m ³ g/s	30 minute minimum		USEPA Method 7E
	Carbon monoxide	mg/m ³ g/s	30 minute minimum		USEPA Method 10

Note 1: All concentration units are referenced to STP dry

Note 2: Monitoring shall be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production.

Note 3: Concentration units for A1 are referenced to 17% O₂.

3.2.2 The Licensee shall ensure that sampling required under condition 3.2.1 of the Licence is undertaken at sampling locations in accordance with the AS 4323.1.

3.2.3 The Licensee shall ensure that all non-continuous sampling and analysis undertaken pursuant to condition 3.2.1 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.



3 Information

4.1 Records

- 4.1.1 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 4.1.1(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.
- 4.1.2 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.
- 4.1.3 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.
- 4.1.4 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.

4.2 Reporting

- 4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 90 days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 2.2.2	Limit exceedances	None specified
Table 3.2.1	Volumetric flow rate, Particulates, Sulfur dioxide, Nitrogen oxides and Carbon monoxide	AR1
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified
-	Plant servicing or maintenance records	None specified

Note 1: Forms are in Schedule 2



4.3 Notification

4.1.5 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO and in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
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
3.1.4	Calibration report	As soon as practicable.	None specified
4.1.4	Any complaints received at the premises concerning environmental impact of the operation and any incidents at the premises.	Within 24 hours of the complaint being received.	In writing

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

Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

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



0 1 2 3 4
1 centimetre = 43 metres



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:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. 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) must 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)



Licence: L7773/1993/6
Form: AR1
Name: Monitoring of point source emissions to air

Licensee: Fulton Hogan Industries Pty Ltd
Period:

Form AR1: Monitoring of point source emissions to air							
Emission point	Parameter	Limit	Result¹	Result¹	Averaging period	Method	Sample date & times
A1	Volumetric flow rate	>12 m/s	m ³ /s		Continuous	USEPA Method 2	
A1	Particulates	50 mg/m ³	mg/m ³	g/s	60 minute minimum	USEPA Method 5	
A1	Sulfur dioxide	350 mg/m ³	mg/m ³	g/s	60 minute minimum	USEPA Method 6	
A1	Nitrogen oxides	350 mg/m ³	mg/m ³	g/s	30 minimum minute	USEPA Method 7E or 7D	
A1	Carbon Monoxide	500 mg/m ³	mg/m ³	gs		USEPA Method 10	

Note 1: All units are referenced to STP dry and relevant Oxygen Correction in Table 2.2.2

Signed on behalf of Fulton Hogan Industries Pty Ltd: Date:



Licence: L7773/1993/6
Form: N1

Licensee: Fulton Hogan Industries Pty Ltd
Date of breach:

Notification of detection of the breach of a limit

These pages outline the information that the operator must provide.
Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit

Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Fulton Hogan Industries Pty Ltd	
Date	





Decision Document

Environmental Protection Act 1986, Part V

Licensee: **Fulton Hogan Industries Pty Ltd**

Licence: **L7773/1993/5**

Registered office: Level 1 Building 7 Botanica Corporate Park
572 Swan Street
RICHMOND VIC 3005

ACN: 000 538 689

Premises address: Fulton Hogan Asphalt Plant
Lot 988 on Plan 210693
Peawah Street
WEDGEFIELD WA 6721

Issue Date: Thursday, 29 October 2015

Commencement Date: Saturday, 30 October 2015

Expiry Date: Friday, 30 January 2017

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.

Decision Document prepared by:

Ty Matson
Licensing Officer

Decision Document authorised by:

Jonathan Bailes
Delegated Officer



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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	Category number(s)	Assessed design capacity
	35	30 000 tonnes per year
Application verified	Date: 21/08/2015	
Application fee paid	Date: 15/09/2015	
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"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	



3 Executive summary of proposal and assessment

Fulton Hogan Industries Pty Ltd has operated this site for over 20 years and the nearest sensitive receptors are the residences within the town of South Hedland, which is approximately 3km south of the site. The nearest water body is the Indian Ocean, approximately 3km to the north and the Turner River Water Reserve - Public Drinking Water Source Area (PDWSA), which is approximately 8km south-east of the premises.

The asphalt plant is a diesel fired mobile drum mixer with a production capacity of 70 tonnes per hour. The process uses a mixture of graded, high quality aggregate and liquid bitumen, which is heated and mixed in measured quantities to produce hot mix asphalt materials. The main emission of concern is dust. Dust emissions are controlled through the use of a bag house filter.

This licence replaces its predecessor L7773/1993/5. The licence has been updated to the current template. All changes in the licence are directly related to template changes and no additional changes have been made. No reassessment of emissions or discharges has been carried out as part of this reissue.



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	L1.2.3	The current licence template requires the removal of the condition relating to environmentally hazardous materials. The requirement to store environmentally hazardous material in a safe manner is adequately covered in other statutes and regulations.	Generic Licence Template v2.9
Fugitive emissions	Previously L2.6.1 – 2.6.2	The previous licence contained conditions (2.6.1 and 2.6.2) for dust management. Fugitive emissions of dust can be sufficiently regulated by conditions 1.3.2 and 1.3.2, and under section 49 of the <i>Environmental Protection Act 1986</i> . In accordance with administrative changes implemented within the Department of Environment Regulation, no specified conditions for fugitive emissions have been included on this licence.	General provisions of the <i>Environmental Protection Act 1986</i>
Odour	Previously 2.7.1	The previous licence contained a condition (2.7.1) for odour. Emissions of odour can be sufficiently regulated by condition 1.3.1 and under section 49 of the <i>Environmental Protection Act 1986</i> . In accordance with administrative changes implemented within the Department of Environment Regulation, no specified conditions for fugitive emissions have been included on this licence	General provisions of the <i>Environmental Protection Act 1986</i>
Licence Duration	N/A	The premises is classified as a low risk premises. The Licence has been issued until 30 January 2017 to align with the planning approval (Planning Approval Reference 2011/52).	Guidance Statement: Licence Duration



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
21/9/2015	Application advertised in The West Australian (or other relevant newspaper)	None received.	N/A
19/10/2015	Proponent sent a copy of draft instrument	No comments.	N/A

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