



Mr Greg Peisley
Greg Peisley
36 Hemisphere Street
NEERABUP WA 6031

Dear Mr Peisley

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises

KLEN International (74) P/L
36 Hemisphere Street, Neerabup
Licence Number: L8882/2015/1

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment Regulation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence includes attached conditions. Under section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000.

In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Richard Wilson on 9333 7510.

Yours sincerely

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

11 June 2015



Licence

Environmental Protection Act 1986, Part V

Licensee: Klen International (74) Pty Ltd

Licence: L8882/2015/1

Registered office: 36 Hemisphere Street
 NEERABUP
 WA 6031

ACN: 008 776 681

Premises address: Klen International (74) Pty Ltd
 36 Hemisphere Street
 NEERABUP
 WA 6031
 Being lot 1036 on plan 72054, as depicted in Schedule 1

Issue date: Thursday, 11 June 2015

Commencement date: Monday, 15 June 2015

Expiry date: Sunday, 14 June 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
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.	Not Applicable	8,000 tonnes per annual period

Conditions

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

.....
 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 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. 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

KLEN International (74) Pty Ltd is a Western Australian company engaged in the manufacture and supply of fire assay fluxes to the mining and geochemical assay laboratory markets.

The premises is located in Meridian Park industrial area situated on top of a redundant limestone quarry located on the north side of Flynn Drive. The area is zoned 'industrial' under the Metropolitan Region Scheme Department for Planning and Infrastructure 1984 with the area north and west to the site also being zoned industrial. The area east to the site has been zoned as 'parks and recreation', 'rural' and 'state forest' and to the south the zoning is 'rural and 'urban'. The closest residence is located 300m south.

The manufacturing process involves raw materials being picked from the warehouse and assembled on pallets. Raw materials (including litharge (PbO)) are introduced into the production area through the conveyor portal. Operators then load the individual raw materials into the production equipment and process according to the prescribed procedures. Mixing takes place in a purpose built mechanical blender with an attached package filling unit. There is a dust extraction unit with several intakes within the flux production room. Extracted air passes through one of two dust extraction systems and filtered air is vented via a single 13m high stack.

Finished produce is packaged and returned to the warehouse through the finished products conveyor portal.

After the results from a quality control process are received, products are then shipped to clients.

This Licence is for the operation of a new facility established under works approval W4994/2011/1.

The licences and works approvals issued for the Premises since 5/01/2012 are:

Instrument log		
Instrument	Issued	Description
W4994/2011/1	5/01/2012	Original Works Approval to construct plant
W4994/2011/1	11/07/2013	Works approval amended to extend duration
L8853/2014/1	11/06/2015	New application

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 the following 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 or target 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;

Manager Licensing (Process Industries)
Department of Environment Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550
Email: swanindustryreg@der.wa.gov.au;

'code of practice for the storage and handling of dangerous goods' means document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

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

'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 Section 2.2.

'Licence' means this Licence numbered L8882/2015/1 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;

'stack test' means a discrete set of samples taken over a representative period at normal operating conditions;

'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; 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 current version of the 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.

1.2 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 operate and 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 shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling 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

- 1.3.1 The Licensee shall ensure that the dust extraction system is operational prior to start-up of the fire assay flux production and is operated continuously during production;
- 1.3.2 The Licensee shall implement and adhere to the Dust Management Plan titled Klen International (74) Pty Ltd: Dust Management Plan version 1.2 dated 21 May 2015.

2. Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target 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	>13m	Dust extraction from fire assay flux blending via baghouse

- 2.2.2 The Licensee shall target point source emissions to air at or below the levels specified in Table 2.2.2.

Table 2.2.2: Point source emission limits to air

Emission point Reference	Parameter	Limit (including units) ¹	Averaging period
A1	Pb	2.5 mg/m ³	Minimum 60 minute average (Stack Test)
	Exit velocity of gases from stack	>5 m/s	Minimum 60 minute average (Stack Test)

Note 1: All units are referenced to STP dry

2.3 Emissions to land

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

2.4 Fugitive emissions

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

2.5 Odour

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

2.6 Noise

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



3 Monitoring

3.1 General monitoring

- 3.1.1 The Licensee shall ensure that six monthly monitoring is undertaken at least 4 months apart.
- 3.1.2 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, the requirements of the Licence and any relevant Australian standard.

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	Frequency ²	Averaging Period	Method
A1 –Stack	Volumetric flow rate and velocity	m ³ /s m/s	6 monthly	Minimum 60 minute average (Stack Test)	USEPA Method 2
	PM	mg/m ³			USEPA Method 17
	Lead (total and particulate based)	mg/m ³			USEPA Method 29

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.

- 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.

3.3-3.4 Monitoring of point source emissions to surface water and groundwater

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

3.5 Monitoring of emissions to land

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

3.6-3.7 Monitoring of inputs, outputs and process monitoring

There are no specified conditions relating to monitoring of inputs, outputs or process monitoring in this section.

3.8-3.9 Ambient environmental quality and meteorological monitoring

There are no specified conditions relating to ambient environmental quality or meteorological monitoring in this section.



4 Improvements

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 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.

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 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.

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 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 5.2.1 in the format or form specified in that table.

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 3.2.1	Point source air emission monitoring results	AR1
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets.



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.

Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1
2.2.2	Exceedance of any descriptive or numerical limit or target	Within 7 working days of becoming aware of the exceedance.	

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 boundary is depicted by the red line:

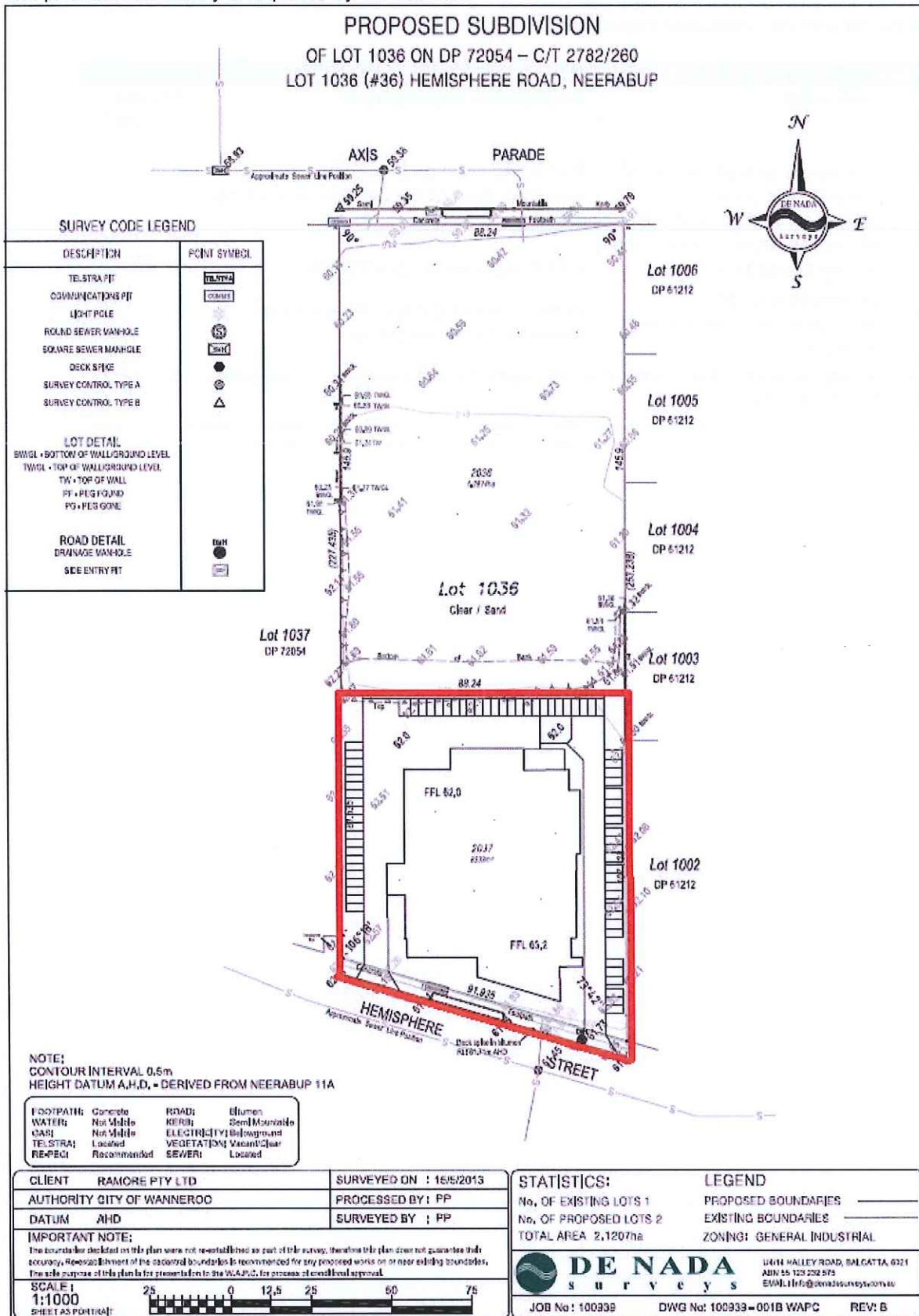
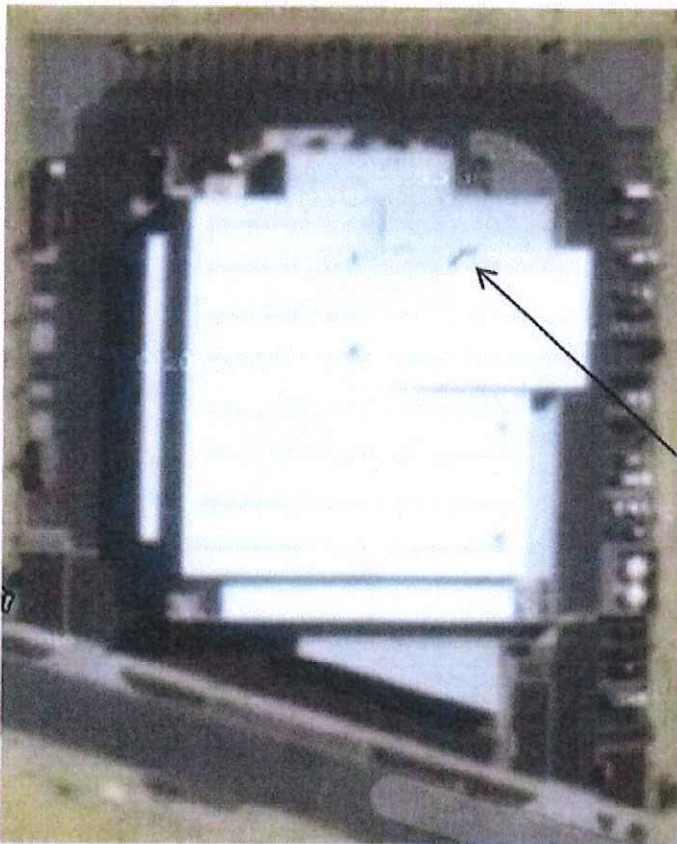




Image of emission points

The locations of the emission points defined in Table 3.2.1 are shown below.



Emission point A1



Elevation taken from Greenwich Parade showing Eastern side of building.



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 B
DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this 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)



Licence: L8882/2015/1
 Form: AR1
 Name: Monitoring of point source emissions to air
 Licensee: Klen International (74) Pty Ltd
 Period :

Form AR1: Monitoring of point source emissions to air							
Emission point	Parameter	Target	Result ¹	Result ¹	Averaging period	Method	Sample date & times
A1	Volumetric flow rate	>5m ³ /s	m ³ /s		Minimum 60 minutes (stack test)	USEPA Method 2	
	velocity	NA	m/s				
	PM	NA	mg/m ³				
	Lead (total and particulate based)	2.5mg/m ³	mg/m ³	g/s		USEPA Method 29	

Note 1: All units are referenced to STP dry

Signed on behalf of Klen International (74) Pty Ltd: Date:



Licence: L8882/2015/1
 Form: N1

Licensee: Klen International (74) Pty Ltd
 Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

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	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	



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 Klen International (74) Pty Ltd	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Klen International (74) Pty Ltd

Licence: L8882/2015/1

Registered office: Suit 13, 8 Welshpool Road
EAST VICTORIA PARK
WA 6101

ACN: 008 776 681

Premises address: Klen International (74) Pty Ltd
36 Hemisphere Street
NEERABUP
WA 6031
Being lot 1036 on plan 72054 As depicted in Schedule 1

Issue date: Thursday, 11 June 2015

Commencement date: Monday, 15 June 2015

Expiry date: Sunday, 14 June 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:

Ed Schuller
Manager Licensing – Process Industries



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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.

Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows;

Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.4, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions is justified in Section 4 of this document.

Non standard conditions (NSC)

Where the proposed activities require conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occur within few licences. Where used, justification for the application of these conditions will be included in Section 4.



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
	33	8,000 tonnes per annual period
Application verified	Date: 24 March 2015	
Application fee paid	Date: 27 March 2015	
Works Approval has been complied with Compliance Certificate received	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
	There were some variations from what was proposed in the works approval to how the plant actually will operate. These changes have been assessed as part of the licence application process. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input 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. Kwinana Atmospheric Waste Policy Area B		
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 ₂ requirements of Kwinana EPP.		

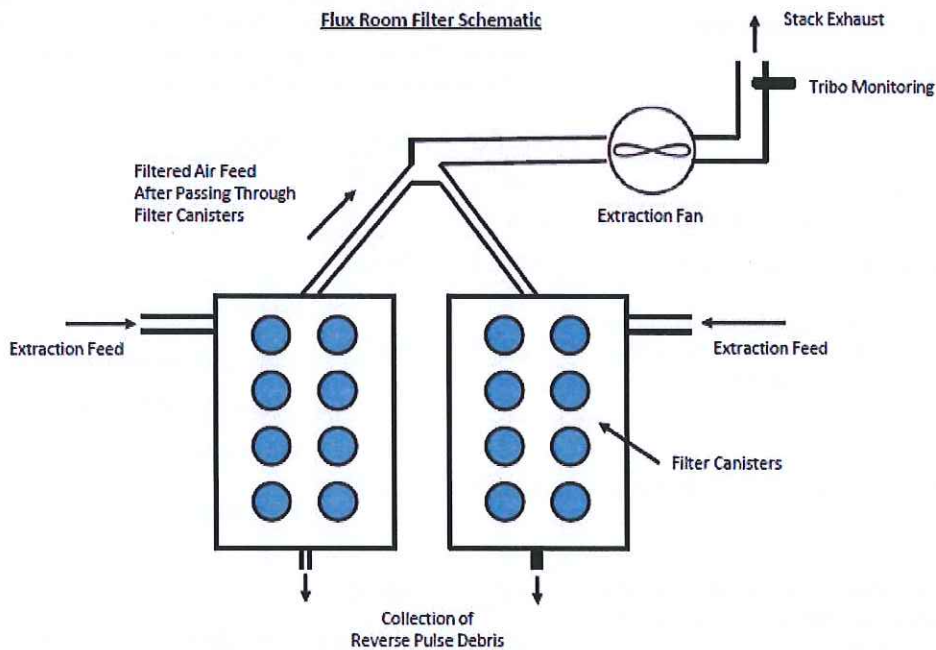


3 Executive summary of proposal and assessment

KLEN International (74) Pty Ltd manufacture and supply fire assay fluxes to the mining and geochemical assay laboratory markets.

The premises is located in Meridian Park industrial area situated on top of a redundant limestone quarry located on the north side of Flynn Drive. The area is zoned 'industrial' under the Metropolitan Region Scheme Department for Planning and Infrastructure 1984 with the area north and west to the site also being zoned industrial. The area east to the site has been zoned as 'parks and recreation', 'rural' and 'state forest' and to the south the zoning is 'rural and 'urban'. The closest residence is located 300m south.

The manufacturing process involves raw materials being picked from the warehouse and assembled on pallets. Raw materials (including litharge (PbO)) are introduced into the production area through the conveyor portal. Operators then load the individual raw materials into the production equipment and process according to the prescribed procedures. Mixing takes place in a purpose built mechanical blender with an attached package filling unit. There is a dust extraction unit with several intakes within the flux production room. Extracted air passes through one of two dust extraction systems (as shown below) and filtered air is vented via a single 13m high stack.



Due to the nature of the products that are handled at the premises strict Occupational Health and Safety procedures are in place and ensure that the day to day operation of the premises is as per the site standard operating procedures and management plans.

Finished products are packaged and returned to the warehouse through the finished products conveyor portal. After the results from a quality control process are received, products are then shipped to clients.

4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, DEC's Policy Statement - Limits and targets for prescribed premises (2006), 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	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.5	OSC	<p>Operation Emission Description <i>Emission:</i> Stormwater contaminated with environmentally hazardous materials including hydrocarbons or litharge which is a lead compound leaving the premises as runoff to land or stormwater system. <i>Impact:</i> Potential localised contamination of surrounding land. Lead from litharge dust can pollute soil or water systems and may persist in the environment for many years. <i>Controls:</i> The site is located within an appropriately zoned industrial area. All operations take place within an enclosed building with materials being stored in hardstand bunded areas. Groundwater is over 10m below ground level and there are no surface water bodies within 1km of the site.</p> <p>Klen has committed to chemical storage on site will be compliant and with and licenced under the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007. Klen currently holds a Dangerous goods site licence (DGS021893) for the premises.</p> <p>The dust management plan for the premises outlines how dust emissions will be minimised including how the dust extraction system will be maintained and operated. DER has determined the dust management plan as appropriate for the mitigation of environmental risks but has not assessed the plan for appropriateness in addressing occupational health and safety.</p>	Application supporting documentation



DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises Operation			<p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> The OSC L1.2.5 ensures stormwater is diverted so it is not contaminated by the activities on site and that potentially contaminated stormwater is treated as necessary.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p>	
	L1.3.1-L1.3.2	NSC	<p><u>Emission Description</u> <i>Emission:</i> Increased dust emissions containing lead from the stack due to the plant not operating at optimal conditions. <i>Impact:</i> Reduced local air quality. The nearest residence is 300m south of the premises. <i>Controls:</i> The site has a dust management plan that outlines how the dust extraction system will be maintained and operated to ensure negative environmental impacts are mitigated. This includes maintenance of the filter system, triboelectric monitor and differential pressure gauge. Controls for point source emissions to air are addressed under Point source emissions to air including monitoring.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor</p>	Application supporting documentation



DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p><i>Likelihood: Unlikely</i> <i>Risk Rating: Moderate</i></p> <p><u>Regulatory Controls</u> NSC 1.3.1 ensures that the plant is operated as per the dust management plan for the premises and ensures appropriate operation and maintenance of the plant.</p> <p><u>Residual Risk</u> <i>Consequence: Minor</i> <i>Likelihood: Unlikely</i> <i>Residual Risk Rating: Moderate</i></p>	
Emissions general	L2.1.1	OSC	<p>Numerical limits will be set in condition 2.2 of the licence and therefore OSC 2.1.1 regarding recording and investigation of exceedances of limits or targets has been included.</p>	N/A
Point source emissions to air including monitoring	L1.3.1 L2.2.1-2.2.3 and L3.2.1-3.2.3	OSC	<p>Operation <u>Emission Description</u> <i>Emission: Particulate dust containing lead being emitted to the atmosphere from the stack.</i></p> <p><i>Impact: Modelling has shown that lead emissions from the normal operation of the premises with annual average lead levels at the boundary being 1.2% of the NEPM guideline level and levels at the nearest residence (300m away south of Flynn Drive) 0.064% of the NEPM guideline level. DER has assessed the modelling and determined that the emissions under normal operations are considered acceptable.</i></p> <p><i>Controls: The plant has a dust extraction system that has two separate filter compartments that each contains 8 filter canisters. The two compartments service separate areas of the production room and both feed to the same stack.</i></p>	<p>Ambient Air Assessment Criteria, National Environmental Protection Measure (Ambient Air Quality) Application supporting documentation</p>



DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p>The filtration system has a reverse pulse cleaning system with collected dust being put back into the process. The dust management plan for the plant states that stack tests for emissions will take place every 6 months.</p> <p>The plant has a triboelectric monitor installed. The monitor will alarm when the particulate emissions reaches a concentration corresponding to 1.2 mg/m³ of lead and a further alarm and plant shut down will occur when the triboelectric monitor measures a particulate concentration corresponding to 2.4 mg/m³ of lead. Modelling has shown that 2.5 mg/m³ of particulate lead equates to 86% of the NEPM level for lead at the boundary of the premises and 4.6% of the NEPM level for lead at the nearest residence.</p> <p>A differential pressure (magnehelic) gauge is used to determine when there is a difference in pressure between each side of the filter system and can indicate if there is a leaking filter canister (no difference in pressure) or if a canister needs replaced (large difference in pressure). The dust management plan states that the differential pressure gauge will be monitored and immediate action taken when it shows a canister needs replaced or there is a leak.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Possible <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> OSC 2.2.1-2.2.2 have been included in the licence to ensure stack emissions are acceptable and as per the submitted specifications for the operation of the facility and modelling that was undertaken.</p> <p><u>Residual Risk</u></p>	



DECISION TABLE

Works Approval / Licence section	Condition number W = Works Approval L = Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p><i>Consequence: Moderate</i> <i>Likelihood: Possible</i> <i>Residual Risk Rating: Moderate</i></p>	
Fugitive emissions	N/A	N/A	All operations at the site are undertaken within an enclosed building. As such there are not expected to be any fugitive emissions from the premises.	Application supporting documentation
Monitoring general	L3.1.1-3.1.2 L3.2.1-3.2.3	OSC	<p>General monitoring conditions have been included on the Licence to support the monitoring relating to point source emissions to air. OSCs L3.1.1 and L3.1.2 have been included to ensure monitoring is carried out at least 4 months apart and in accordance with appropriate standards.</p> <p>Condition 3.2.1 requires the licensee to conduct stack testing every 6 months to ensure the efficient operation of the dust extraction system under normal operations.</p> <p>Condition 3.2.2 ensures the stack test is undertaken at a location that is consistent with the relevant Australian Standard.</p> <p>Condition 3.2.3 ensures that the stack test is undertaken by a NATA accredited professional.</p>	Application supporting documentation
Information	L5.2.1	OSC	Condition 5.21 requires the licensee to submit results from stack tests conducted 6 monthly.	
Licence Duration	N/A	N/A	This licence will be issued for 5 years as the regulatory controls imposed by the licence ensure risks to the environment are adequately managed.	



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
27/10/2015	Application advertised in West Australian	No comments received.	NA
11/06/2015	Proponent sent a copy of draft instrument	Minor comments received,	Licence and decision document updated as per comments



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