



Mr Edward Walmsley
Ten Year Developments Pty Ltd
PO Box 5592
ALBANY WA 6332

Dear Mr Walmsley

ENVIRONMENTAL PROTECTION ACT 1986 – AMENDMENT TO LICENCE

Licence: L8741/2013/1
Premises: Mercer Rd Grain Dust Disposal

Further to my letter dated 8 January 2015, please find enclosed your amended *Environmental Protection Act 1986* licence.

If you have any questions or objections relating to the licence, please do not hesitate to contact the enquiries officer above on (08) 9842 4566 for clarification or discussion of any grievances you have.

If you are concerned about, or object to any aspect of the amendment, you may lodge an appeal with the Minister for the Environment within 21 days from the date on which this licence is received. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

Members of the public may also appeal the amendments. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

Yours sincerely

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

5 February 2015

enc: amended Licence L8741/2013/1 and Decision Document
copy to: Local Government Authority: City of Albany



Licence

Environmental Protection Act 1986, Part V

Licensee: Ten Year Developments Pty Ltd

Licence: L8741/2013/1

Registered office: 197 Lower Denmark Road
ALBANY
WA 6330

ACN: 008 713 371

Premises address: Mercer Rd Grain Dust Disposal
Lot 521 Mercer Road
ALBANY WA 6330
Being Lot 521 on Plan 76829 as depicted in Schedule 1.

Issue date: Thursday, 13 June 2013

Commencement date: Thursday, 13 June 2013

Expiry date: Tuesday, 12 June 2018

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
61A	Solid Waste Facility: premises (other than premises within category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land.	1 000 tonnes or more per year.	1600 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*



Contents

Licence	1
Contents	2
Introduction	2
Licence conditions	5
1 General	5
2 Emissions	7
3 Monitoring	8
4 Improvements	8
5 Information	9
Schedule 1: Maps	10
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 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

Ten Year Developments Pty Ltd has been disposing of grain dust on their Mercer Road, Albany property for 20 years. This operation came to the attention of the Department of Environment and Regulation (DER) in 2013. Prior to this, the premises had not previously held a licence or works approval to undertake the prescribed activity.

Ten Year Developments Pty Ltd operates a facility (farm property; 400 acres) at Mercer Road Albany which receives approximately 1200 tonnes per annum of grain dust. The grain dust consists of husks of grain which have been broken down as it is moved along conveyor belts at the Albany Port. The grain dust is transported from the CBH terminal in enclosed trucks in loads (2.5 to 3 tonnes) and is deposited onto the middle of the property at Mercer Road. Unloading occurs 1-2 times per day.

The grain dust is used to feed cattle; where the cattle spread out the grain dust as they do so. The remainder of the uneaten material which has absorbed moisture over a 2 to 3 week period is spread across the paddocks on the property. The grain dust is spread by loader, multi-spreader and/or grader to a depth of up to 100mm, the grass subsequently grows through. This process occurs all year round as grain is transported by ship, train and truck to the Albany Port.

The nearest residence is located approximately 400-500m way from the disposal area. Potential emissions which can be generated through the operation of the facility is dust from the unloading and spreading of the grain dust, odour once the grain dust is wet and breaks down.

This Licence is the result of an amendment sought by the Licensee to increase the approved premises capacity from 1200 tonnes per annual period to 1600 tonnes per annual period. It is noted that the 2013/2014 annual period saw a record increase in grain harvest locally, resulting in an increased receipt of grain waste during that reporting period, which caused the Licensee to operate in non-compliance with the scope of the licence approval at that time. No changes to the premises infrastructure or operations are required for this increase.

The licences and works approvals issued for the Premises since 13/06/2013:

Instrument log		
Instrument	Issued	Description
L8741/2013/1	13/06/2013	New licence for the existing operation of the premises.
L8741/2013/1	5/02/2015	DER amendment following Licensee 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 June until 31 May in the following year;

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

'CEO' for the purpose of correspondence means;

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

'code of practice for the storage and handling of dangerous goods' means the 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;

'grain dust' means the husks of grain, a waste product from the movement of grain from the CBH terminal, Albany;

'Licence' means this Licence numbered L8741/2013/1 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'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;



- 1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the 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.

1.2 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, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage 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 only grain dust is accepted at the premises.
- 1.3.2 The licensee shall ensure that no more than 1600 tonnes of grain dust is accepted onto the premises for disposal in any annual period.



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.

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

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

2.5 Emissions to land

2.5.1 The Licensee shall ensure that where waste is emitted to land from the emission points in Table 2.5.1 it is done so in accordance with the conditions of this Licence.

Emission point reference	Description	Source including abatement
Within the premises boundary (Schedule 1), being Lot 521 on Plan 76829, Albany WA 6330.	Grain dust deposited at the centre of the property and spread onto land.	Grain dust from the CBH terminal, Albany Port.

2.6 Fugitive emissions

2.6.1 The Licensee shall use all reasonable and practical measures to prevent and where that is not practicable to minimise dust emissions from the Premises.

2.6.2 The Licensee shall ensure that no visible dust generated by the activities on the Premises crosses the boundary of the Premises.

2.7 Odour

2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.

2.8 Noise

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



3 Monitoring

3.1 General monitoring

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

3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater

There are no specified conditions relating to monitoring of point source emissions to air 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 Monitoring of inputs and outputs

3.6.1 The Licensee shall undertake the monitoring in Table 3.6.1 according to the specifications in that table.

Table 3.6.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Grain Dust (Input)	Grain dust	Tonnes	-	Annually

3.7 Process monitoring

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

3.8 Ambient environmental quality monitoring

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

3.9 Meteorological monitoring

There are no specified conditions relating to 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 30 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
3.6.1	Volume of grain dust received on the premises for the annual period	None Specified
5.1.3	Compliance for the annual period	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary for the annual period	None specified

Note 1: Forms are in Schedule 2

5.3 Notification

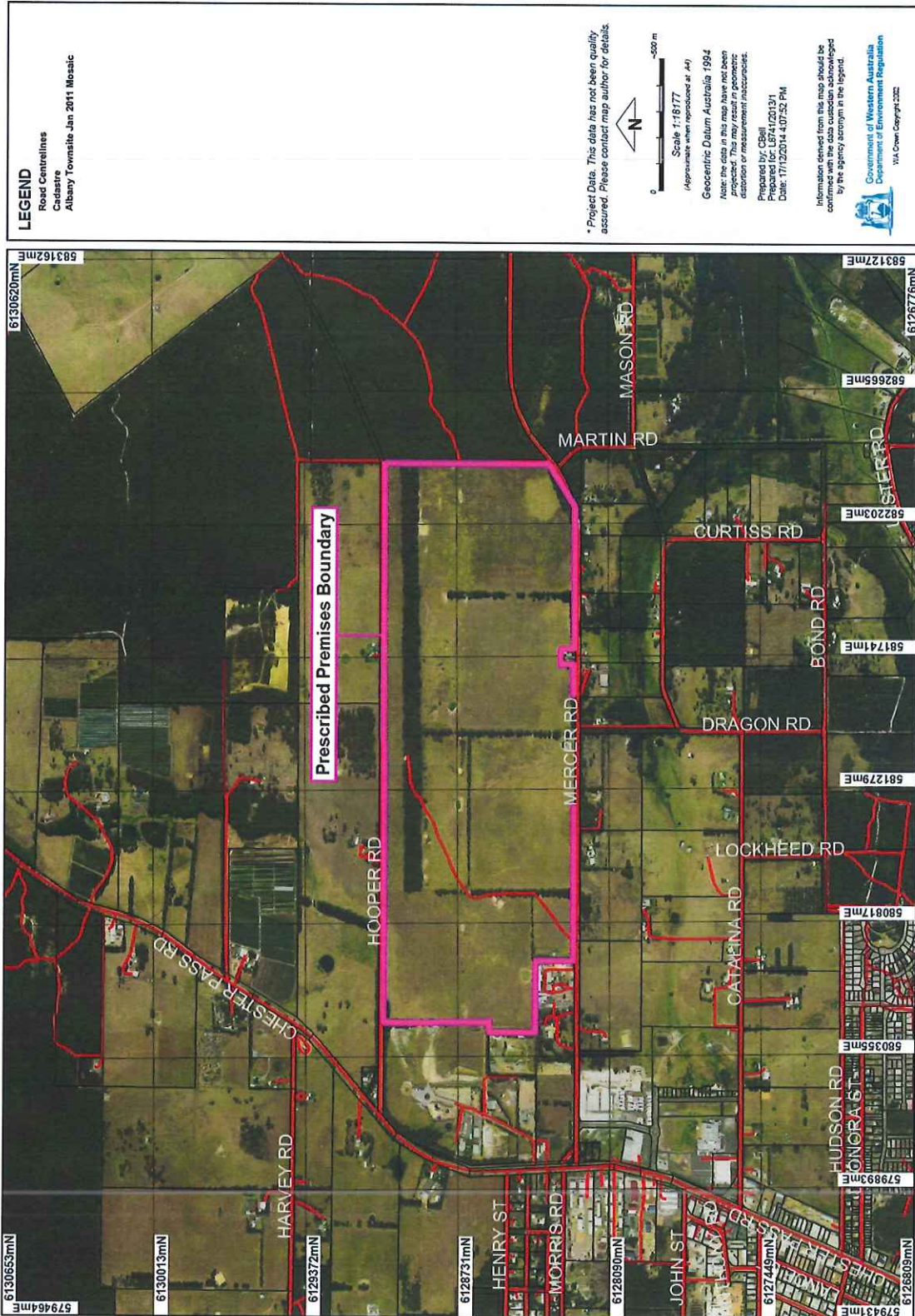
There are no specific notification requirements in this section.



Schedule 1: Maps

Premises map

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





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) 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

Proponent: Ten Year Developments Pty Ltd

Licence: L8741/2013/1

Registered office: 197 Lower Denmark Road
ALBANY
WA 6330

ACN: 008 713 371

Premises address: Mercer Rd Grain Dust Disposal
Lot 521 Mercer Road
ALBANY WA 6330
Being Lot 521 on Plan 76829 as depicted in Schedule 1.

Issue date: Thursday, 13 June 2013

Commencement date: Thursday, 13 June 2013

Expiry date: Tuesday, 12 June 2018

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Cassie Bell
Licensing Officer

Decision Document authorised by: Caron Goodbourn
Manager Licensing



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	7
6 Risk Assessment	8

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 type="checkbox"/> Licence amendment <input checked="" 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>61A</td> <td>1600 tonnes per annual period</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Category number(s)	Assessed design capacity	61A	1600 tonnes per annual period				
	Category number(s)	Assessed design capacity							
	61A	1600 tonnes per annual period							
Application verified	Date: N/a; amendment only								
Application fee paid	Date: N/a; amendment only								
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									
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> ?	<table border="1"> <tr> <td>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> <td> Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/> </td> </tr> </table>	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"/>						
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?	<table border="1"> <tr> <td>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> <td> Ministerial statement No: EPA Report No: </td> </tr> </table>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:						
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 checked="" type="checkbox"/> No <input type="checkbox"/> <i>Environmental Protection South West Agriculture Zone Wetlands Policy 1998</i>								
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>There is no alteration or discharge to waters associated with this proposal and the premises does not include any registered wetland or portion of a registered water body or watercourse relevant to the EPP.</i>								



3 Executive summary of proposal and assessment

Ten Year Developments Pty Ltd has been disposing of grain dust on their Mercer Road, Albany property for 20 years. This operation came to the attention of the Department of Environment and Regulation (DER) in 2013. Prior to this, the premises had not previously held a licence or works approval to undertake the prescribed activity.

Ten Year Developments Pty Ltd operates a facility (farm property; 400 acres) at Mercer Road Albany which receives approximately 1200 tonnes per annum of grain dust. The grain dust consists of husks of grain which have been broken down as it is moved along conveyor belts at the Albany Port. The grain dust is transported from the CBH terminal in enclosed trucks in loads (2.5 to 3 tonnes) and is deposited onto the middle of the property at Mercer Road. Unloading occurs 1-2 times per day.

The grain dust is used to feed cattle; where the cattle spread out the grain dust as they do so. The remainder of the uneaten material which has absorbed moisture over a 2 to 3 week period is spread across the paddocks on the property. The grain dust is spread by loader, multi-spreader and/or grader to a depth of up to 100mm, the grass subsequently grows through. This process occurs all year round as grain is transported by ship, train and truck to the Albany Port.

The nearest residence is located approximately 400-500m way from the disposal area. Potential emissions which can be generated through the operation of the facility is dust from the unloading and spreading of the grain dust, odour once the grain dust is wet and breaks down.

This assessment is the result of an amendment sought by the Licensee to increase the approved premises capacity from 1200 tonnes per annual period to 1600 tonnes per annual period. It is noted that the 2013/2014 annual period saw a record increase in grain harvest locally, resulting in an increased receipt of grain waste during that reporting period, which caused the Licensee to be operating in non-compliance with the scope of the licence approval at that time.

No changes to the premises infrastructure or operations were required for this increase. The assessment in this Decision Document is limited to explaining and justifying the changes made to the licence as part of this amendment, and does not include a full environmental risk assessment of all other existing operations.

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	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	N/A	N/A	There are no changes to the general conditions as part of this amendment, other than the addition of the compulsory standard condition 1.1.4 associated with the update to the latest licence template.	N/A
Premises operation	L1.3.2	NSC	<p>Operation</p> <p><u>Emission Description</u> <i>Emission:</i> Potential 33% increase in volumes of grain dust disposed of onto the premises. <i>Impact:</i> Increased loading of nutrients onto paddocks, greater potential for dust generation during spreading activities and odour generation, potential (slightly) increased risk of vermin being attracted to the premises (specifically nuisance flies). NB a potential 33% increase in volume does not necessarily result in a proportional impact increase due to the large size of this property and capacity to receive material. <i>Controls:</i> Grain dust is initially loaded into the middle of the property to eliminate any chance of dust or odour issues experienced by surrounding properties (boundaries are a minimum 400m from the unloading site in middle of property). Grain dust is not spread to surrounding areas until 2 – 3 weeks after receipt to allow some absorption of moisture to occur which further reduces dust potential. Dust is spread to enable spreading of nutrient loading and essentially facilitates soil remediation.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Possible</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>Risk Rating: Low</i></p> <p><u>Regulatory Controls</u> NSC 1.3.2 has been included on the licence to clearly cap the receipt of grain dust material to ensure clarity on the extent of the approval under the licence. The overall risk of the change from a maximum of 1200 tonnes to 1600 tonnes per annum is assessed as low, and not considered to warrant further specific conditions for management.</p> <p><u>Residual Risk</u> <i>Consequence: Insignificant</i> <i>Likelihood: Possible</i> <i>Risk Rating: Low</i></p>	
Emissions to land including monitoring	L2.5.1	NSC	The legal address of the prescribed premises has been updated in NSC 2.5.1.	
Monitoring general	N/A	N/A	OSC 3.1.1 has been removed from the licence as part of this amendment, as it refers to monitoring frequencies that do not relate to any of the conditions of this licence.	
Information	L5.2.1	OSC	Table 5.2.1 has been amended slightly such that it includes "for the annual period" under each parameter required to be included in the Annual Environmental Report, for clarity.	

5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
8/01/2015	Proponent sent a copy of draft instrument	No comments. 21 day waiver form received 29 January 2015.	



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