



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** **Tox Free Australia Pty Ltd**

**Licence:** **L6297/1993/11**

**Registered office:** Level 2, 55 Carrington Street,  
NEDLANDS, WA 6009

**ACN:** 127 853 561

**Premises address:** Tox Free Australia  
Lot 15 on Diagram 87731  
Mason Road  
KWINANA BEACH WA 6167  
as depicted in Schedule 1.

**Issue date:** Wednesday, 16 March 2016

**Commencement date:** Sunday, 20 March 2016

**Expiry date:** Thursday, 19 March 2036

**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
61	Liquid waste facility: premises on which liquid waste produced on others premises (other than sewage waste) is stored, reprocessed, treated or irrigated.	100 tonnes or more per year	100 000 tonnes per annual period
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	100 000 tonnes per annual period

**Conditions**

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

Date signed: 15 March 2016

.....  
Steve Checker  
MANAGER LICENSING (WASTE 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**

Tox Free Australia Pty Ltd operates the Tox Free Australia Kwinana Waste Treatment Plant (the plant) located on Lot 15 (Diagram 87731), Mason Road, Kwinana Beach, Western Australia.

The plant currently offers a range of industrial and hazardous waste treatment services including:

- household hazardous waste collection, consolidation and disposal of packaged chemicals;
- stabilisation, solidification & fixation;
- recycling and resource recovery;
- physiochemical treatment such as acid/base neutralisation and oxidation/reduction;
- concrete encapsulation;
- PCB transformer & equipment decontamination; and
- Quarantine cleaning

Non-processing areas are bitumen sealed and stormwater drains to onsite soakwells. Process areas are concrete sealed and bunded. Surface water drains to blind sealed sumps. Once assessed for contamination, wastewater from the sumps is stabilised onsite or dispatched to a licenced liquid waste treatment plant.

The site is listed on the DER's contaminated sites database as "Contaminated-Restricted Use. The site was originally reported to the former Department of Environment and Conservation (now DER) prior to commencement of *Contaminated Sites Act 2003*, and was reported again in May 2007.

The site is low lying (elevation approximately 5 m (AHD) and approximately 2 km inland from the coast. Underlying superficial geology comprises alluvium, shoreline and Aeolian deposits. The site is also located within the Cockburn Groundwater Area. Groundwater occurs within three limestone, calcrete aquifer systems: Superficial Swan, Perth Leederville and Yarragadee North aquifers.

Groundwater monitoring is undertaken annually at ten (10) bores on and surrounding the site. As at February 2014, monitoring results indicated that metals, in particular arsenic was detected in both up-gradient and down-gradient wells.

Tox Free Australia Kwinana Waste Treatment Plant used to operate the Thermal Desorption Unit (TDU) which has now been decommissioned. An application was submitted to DER on 19 December 2014 requesting the removal of category 39 (Chemical or oil recycling) from the Licence. As part of the renewal process all conditions relating to category 39 will also be removed from the Licence.

A P4 form was also submitted to DER on 8 July 2014 requesting the transfer of Licence L6297/1993/10 from Tox Free (Kwinana) Pty Ltd to Tox Free Australia Pty Ltd.



Tox Free (Kwinana) Pty Ltd and Tox Free Australia Pty Ltd are controlled entities of Tox Free Solutions Limited (Parent Controlling Entity). Tox Free (Kwinana) Pty Ltd is a dormant entity and will be liquidated in the foreseeable future. Tox Free Solutions Limited has a deed of cross guarantee which covers all subsidiaries. The renewed Licence therefore will be issued to Tox Free Australia Pty Ltd.

Tox Free is also proposing to add a High Shear Mixer to the Chemical Fixation and Stabilisation (CFS) process. This is an enclosed unit and will be used to treat solid and liquid waste with contaminant concentrations that are less than criteria for Class V landfills. A trial will be conducted onsite to determine the suitability of a reagent prior to making some changes to the Plant.

The main potential emissions generated from the site will be dust and odour through incorrect operating procedures. It is anticipated that these emissions can be adequately managed under the provisions of the *Environmental Protection Act 1986* and mitigation measures put in place by the Licensee.

This Licence is the successor to licence L6297/1993/10 and includes changes to conditions in accordance with DER's latest licensing template and licensing processes. The Licences and Works Approvals issued for the Premises since 22/03/06 are:

Instrument log		
Instrument	Issued	Description
L6297/1993/8	22/0/3/2006	Licence reissue
L6297/1993/9	22/03/2008	Licence reissue
L6297/1993/10	22/03/2011	Licence reissue
L6297/1993/11	16/03/2016	Licence reissue (this licence)

### Severance

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

**END OF INTRODUCTION**



## Licence conditions

### 1 General

#### 1.1 Interpretation

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

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

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

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

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

**'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

**'Contaminated Solid Waste'** means contaminated solid waste meeting the Acceptance Criteria for destined landfills, as specified in the Landfill Definitions;

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

**'hardstand'** means a surface with a permeability of  $10^{-9}$  metres/second or less;

**'Landfill Definitions'** means the document titled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer of the Department of Environment as amended from time to time;

**'Licence'** means this Licence numbered L6297/1993/11 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;

**'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.

**1.2 General conditions**

1.2.1 The licensee shall ensure that uncontaminated stormwater within the premises is managed so that water that has come into contact with waste (as specified in Table 1.3.1) is to be diverted into a sump on the site, or otherwise retained on site pending disposal or treatment.

1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of waste (as specified in table 1.3.1) outside an engineered containment system.

1.2.3 The Licensee shall employ and maintain concrete bunds and stormwater drains at the premises to ensure that uncontaminated stormwater runoff does not come into contact with waste on the premises.

**1.3 Premises operation**

1.3.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit in this section.

1.3.2 The Licensee shall only allow waste to be accepted on to the Premises if:

- (a) it is of a type listed in Table 1.3.1;
- (b) the quantity accepted is below any limit listed in Table 1.3.1; and
- (c) it meets any specification listed in Table 1.3.1

<b>Table 1.3.1 Waste types for acceptance</b>			
<b>Waste</b>	<b>Waste Code</b>	<b>Quantity Limit</b>	<b>Specification</b>
<b>Acids</b>			
Acidic solutions	B100	As per approved premises production capacity	Stored in impervious containers or tanks.
<b>Alkalis</b>			
Basic solutions or bases in solid form	C100	As per approved premises production capacity	Stored in impervious containers or tanks.
<b>Clinical and pharmaceutical</b>			
Clinical and related waste	R100	As per approved premises production capacity	Stored in impervious containers or tanks.
Cytotoxic waste	R130		
Waste from the production or preparation of pharmaceutical products	R140		
Waste pharmaceutical drugs or medicines	R120		



<b>Industrial wash water</b>			
Industrial wash water contaminated with a controlled waste	L150	As per approved premises production capacity	Stored in impervious containers or tanks.
Car and truck wash waters	L100		
<b>Inorganic chemicals</b>			
Antimony and antimony compounds	D170		Stored in impervious containers or tanks.
Arsenic and arsenic compounds	D130		Stored in impervious containers or tanks.
Barium and barium compounds	D290		Stored in impervious containers or tanks.
Boron compounds	D310	As per approved premises production capacity	Stored in impervious containers or tanks.
Cadmium and cadmium compounds	D150		
Used nickel cadmium batteries	D151		
Chlorates	D350		
Cobalt compounds	D200		
Copper compounds	D190		
Chromium compounds	D140		
Inorganic fluorine compounds excluding calcium fluoride	D110		
Inorganic sulphides	D330		
Lead and lead compounds	D220		
Used lead acid batteries	D221		
Mercury and mercury compounds	D120		
Metal carbonyls	D100		
Nickel compounds	D210		
Used nickel metal hydride batteries	D211		
Non-toxic salts	D300		
Perchlorates	D340		
Phosphorus compounds other than mineral phosphates	D360		
Selenium and selenium compounds	D240		
Tannery wastes containing chromium	D141		
Tellurium and tellurium compounds	D250		
Thallium and thallium compounds	D180		
Vanadium compounds	D270		
Zinc compounds	D230		



<b>Miscellaneous</b>			
Waste chemical substances arising from research and development or teaching activities.	T100	As per approved premises production capacity	Stored in impervious containers or tanks
Waste from production or formulation of photographic chemicals or processing Materials.	T120		
Waste tyres	T140		
<b>Oils</b>			
Waste oils unfit for their intended use	J100	As per approved premises production capacity	Stored in impervious containers or tanks
Waste oil and water mixtures or emulsions and hydrocarbon and water mixtures or emulsions	J120		
Oil interceptor waste	J130		
Waste tarry residues arising from refining, distillation or pyrolytic treatment	J160		
Used oil filters	J170		
Oil sludge	J180		
<b>Organic chemicals</b>			
Cyanides and nitriles	M210	As per approved premises production capacity	Stored in impervious containers or tanks
Highly odorous organic chemicals (including mercaptans and acrylates)	M260		
Isocyanate compounds	M220		
Non halogenated organic chemical	M130		
Organohalogen compounds other than substances referred to elsewhere	M160		
Polychlorinated dibenzofuran	M170		
Phenols, phenol compounds including chlorophenols	M150		
Polychlorinated Biphenyls (PCBs)	M100		
Polychlorinated dibenzo-p-dioxin	M180		
Surface active agents (surfactants), containing mainly organic constituents and which may contain metals and inorganic materials	M250		
Triethylamine catalysts	M230		





<b>Organic solvents</b>			
Dry cleaning waste containing perchloroethylene	G130	As per approved premises production capacity	Stored in impervious containers or tanks
Halogenated organic solvents	G150		
Waste from the production, formulation, or use of organic solvents	G160		
Non halogenated organic solvents	G110		
<b>Paints, resins, inks and organic sludges</b>			
Aqueous based waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	F100	As per approved premises production capacity	Stored in impervious containers or tanks
Solvent based waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	F120		
Aqueous based waste from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	F110		
Solvent based waste from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	F130		
<b>Pesticides</b>			
Organic phosphorus compounds	H110	As per approved premises production capacity	Stored in impervious containers or tanks
Organochlorine pesticides (OCPs)	H130		
Waste from the manufacture, formulation or use of wood-preserving chemicals	H170		
Waste from the production, formulation, or use of biocides and phytopharmaceuticals	H100		
<b>Plating &amp; heat treatment</b>			
Cyanides (inorganic)	A130	As per approved premises production capacity	Stored in impervious containers or tanks
Waste resulting from surface treatment of metals and plastics	A100		
Waste from heat treatment and tempering processes which use cyanide	A110		



<b>Putrescible and Organic wastes</b>			
Animal effluent and residues	K100	As per approved premises production capacity	Stored in impervious containers or tanks
Vegetable and food processing liquid wastes	K200		
Septage wastes	K210		Wastes not meeting specification of Category 54 and stored in impervious containers/tanks or storage ponds
Sewage waste from reticulated sewerage system	K130		
Tannery wastes not containing chromium	K140		
Waste from grease trap	K110		
Wool scouring wastes	K190		
<b>Reactive chemicals</b>			
Waste of an explosive nature not subject to other legislation.	E120	As per approved premises production capacity	Stored in impervious containers or tanks
Reactive chemicals	E100		
Highly reactive chemicals	E130		
<b>Soils and sludge</b>			
Asbestos	N220	As per approved premises capacity	Packaged and labelled
Containers or drums contaminated with residues of a controlled waste	N100		Stored in impervious containers or tanks
Ceramic based fibres similar to asbestos	N230	As per approved premises production capacity	Stored in impervious containers or tanks
Fly ash excluding fly ash generated from Australian coal fired power stations	N150		
Filter cake	N190		
Industrial waste treatment plant residue	N205		
Soils contaminated with a controlled waste	N120		
Fire debris and wash water	N140		
Encapsulated chemically fixed, solidified or polymerised controlled wastes	N160		
Solid and Liquid waste*	(contaminated soils, high TPH drill muds, oily sludges, paints, low hazardous materials and various sludges) *	Less than 1000 tonnes of waste to be used for the trial	High shear mixer trial (for use in the CFS process) *

\*waste shall not be accepted for the high shear mixing process until the test results from the trial have been submitted as per Licence condition 3.2.2.

1.3.3 The Licensee shall ensure that the wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.3.2 and in accordance with any process requirements described in that table.



**Table 1.3.2: Waste processing**

Waste type	Process	Process requirements
All	Consolidation  Physical, biological and chemical treatment	All wastes received for consolidation shall be assessed by a chemist or suitably qualified person to ensure compatibility.  The Licensee is permitted to undertake any acid/alkali treatment, oxidation/reduction treatment, fluorescent tube processing, intermediate bulk container and drum processing, PCB transformer decontamination, quarantine container washing, waste fixation, immobilisation, solidification, stabilisation and encapsulation processes.
Solid wastes	Storage	The Licensee shall ensure that all solid waste material accepted onto the premises is removed from the premises to an appropriately licensed facility following treatment.
Solid and Liquid waste	High shear mixer trial (for use in the CFS process)	The Licensee shall ensure that waste will only be treated for trial purposes until the test results from the trial has been submitted as per Licence condition 3.2.2.

1.3.4 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in Table 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.3.5 The Licensee shall ensure that all treated waste meets the landfill acceptance criteria of the destination landfill prior to disposal.

1.3.6 The Licensee shall:

- (a) implement security measures at the site to prevent as far as is practical unauthorised access to the site;
- (b) undertake regular inspections of all security measures and repair damage as soon as practicable; and
- (c) ensure the entrance gates are closed and locked when the site is closed or unmanned.

1.3.7 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.

1.3.8 The Licensee shall maintain any drains, oil traps and sumps as appropriate to ensure the continued performance of the site stormwater and drainage systems.

## 2 Monitoring

### 2.1 Monitoring of inputs and outputs

2.1.1 The Licensee shall undertake the monitoring in Table 2.1.1 according to the specifications in that table.

**Table 2.1.1: Monitoring of inputs and outputs**

Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Waste Types listed in Table 1.3.1	Tonnes	Monthly	Each load arriving at the Premises
Waste Outputs				Each load leaving or rejected from the Premises



### 3 Information

#### 3.1 Records

- 3.1.1 All information and records required by the Licence shall:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
  - (c) except for records listed in 31.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
  - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
    - (i) off-site environmental effects; or
    - (ii) matters which affect the condition of the land or waters.
- 3.1.2 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 3.1.3 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.
- 3.1.4 The Licensee shall maintain records of all wastes accepted, stored and dispatched from the premises that includes, but is not limited to:
- (a) date of acceptance;
  - (b) description of the waste including waste type code;
  - (c) origin of the waste;
  - (d) name of the waste producer;
  - (e) quantity of the waste received;
  - (f) results of any analysis (if applicable);
  - (g) location of the waste at the premises;
  - (h) controlled waste tracking form number (inwards);
  - (i) date(s) of transport off site;
  - (j) destination of waste or product;
  - (k) quantity of the waste or product dispatched;
  - (l) nature of the waste or product dispatched;
  - (m) any certificate of analysis of the waste dispatched (if applicable); and
  - (n) controlled waste tracking form number (outwards).
- 3.1.5 The Licensee shall perform a visual check of all operating systems for irregularities on a daily (5 days a week) basis. This check shall include all material storage/process areas. The Licensee shall record the plants condition and any observations as required by this condition together with the date and time of the check. The records shall be retained on the premises and made available to the CEO on request.

#### 3.2 Reporting

- 3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report by 31 March after the end of each annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

**Table 3.2.1: Annual Environmental Report**

Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
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-	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 2.1.1	Monitoring of inputs and outputs	None specified
3.1.2	Compliance	Annual Audit Compliance Report (AACR)
3.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2

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

<b>Table 3.2.2: Non-annual reporting requirements</b>				
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Reporting period</b>	<b>Reporting date (after end of the reporting period)</b>	<b>Format or form<sup>1</sup></b>
-	A report outlining the results of the High Shear Mixing trial including copies of original laboratory reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEOs request	As received by the Licensee from third parties
3.1.4	Records of waste acceptance, storage and disposal	Not Applicable	Within 14 days of the CEOs request	None specified
3.1.5	Records of the plants condition and any observations with the date and time of the check	Not Applicable	Within 14 days of the CEOs request	None specified

Note 1: Forms are in Schedule 2

### 3.3 Notification

3.3.1 The Licensee shall ensure that the parameters listed in table 3.3.1 are notified to the CEO in accordance with the notification requirements of the table.

<b>Table 3.3.1: Notification requirements</b>			
<b>Condition or table</b>	<b>Parameter</b>	<b>Notification requirement</b>	<b>Format or form</b>
N/A	Completion of installation of High Shear Mixer to the existing CFS process	Within seven days following completion of the installation	None specified
N/A	Completion of installation of blind sealed sumps in the new concrete unloading area	Within seven days following completion of the installation	None Specified
N/A	Completion of installation of concrete hardstand in the unloading area	Within seven days following completion of the installation	None specified
N/A	Completion of installation of new dangerous goods storage area	Within seven days following completion of the installation	None specified



## Schedule 1: Maps

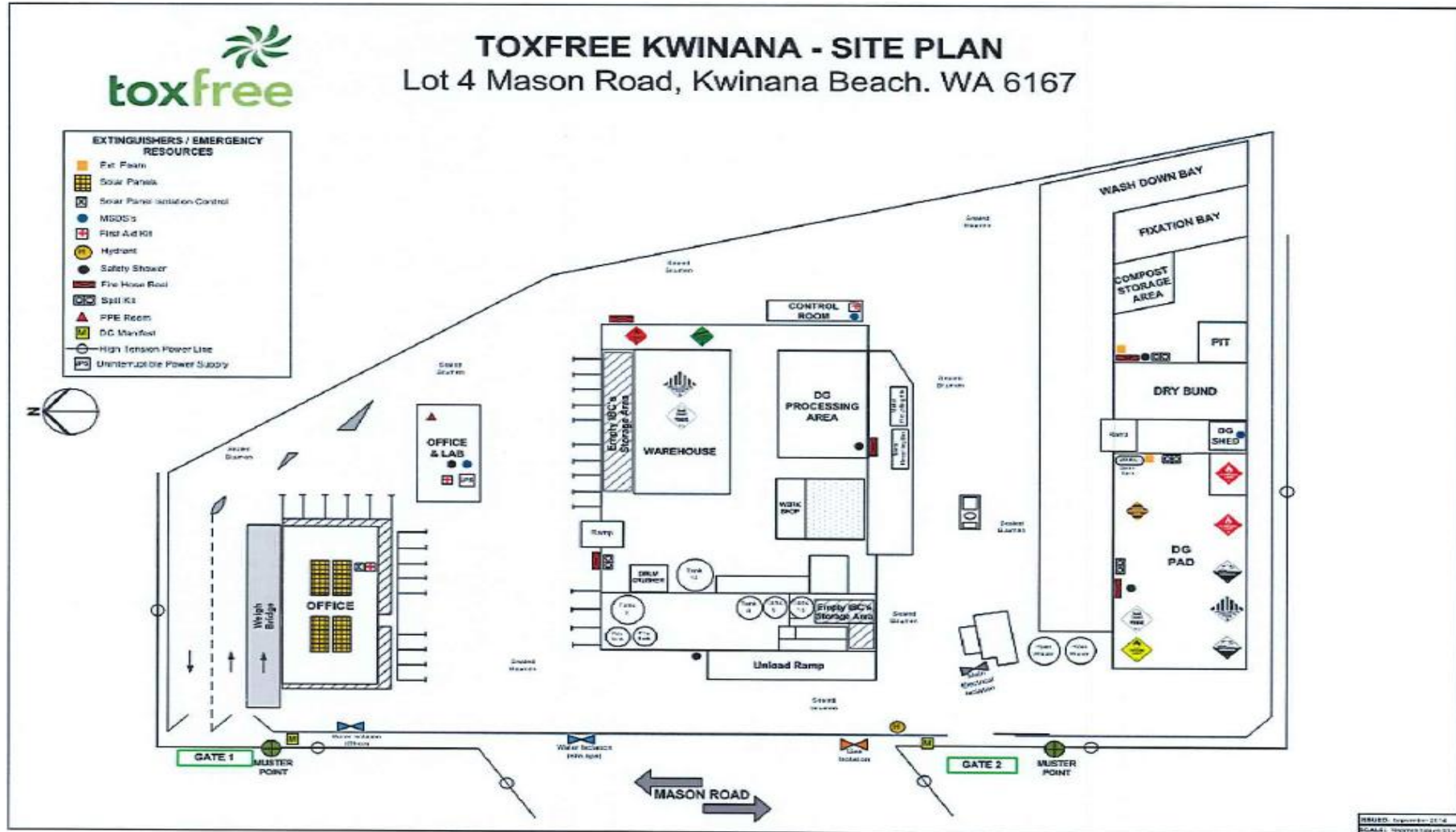
### Premises map

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





Existing Site Layout





## Schedule 2: Reporting & notification forms

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

### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

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

#### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

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) 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: L6297/1993/11  
 Form: N1

Licensee: Tox Free Australia 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	

<b>Notification requirements for the breach of a limit</b>	
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 Tox Free Australia Pty Ltd	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Tox Free Australia Pty Ltd

**Licence:** L6297/1993/11

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**Registered office:** Level 2, 55 Carrington Street,  
NEDLANDS, WA 6009

**ACN:** 127 853 561

**Premises address:** Tox Free Australia  
Lot 15 on Diagram 87731  
Mason Road  
KWINANA BEACH WA 6167

**Issue date:** Wednesday, 16 March 2016

**Commencement date:** Sunday, 20 March 2016

**Expiry date:** Thursday, 19 March 2036

### **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:

Abnesh Chetty  
Licensing Officer

Decision Document authorised by:

Steve Checker  
Delegated Officer



## Contents

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1 Purpose of this Document	2
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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	<table border="1"> <thead> <tr> <th>Category number(s)</th> <th>Assessed design capacity</th> </tr> </thead> <tbody> <tr> <td>61</td> <td>100 000 tonnes per year</td> </tr> <tr> <td>61A</td> <td>100 000 tonnes per year</td> </tr> </tbody> </table>	Category number(s)	Assessed design capacity	61	100 000 tonnes per year	61A	100 000 tonnes per year
	Category number(s)	Assessed design capacity					
	61	100 000 tonnes per year					
61A	100 000 tonnes per year						
Application verified	Date: 01/02/2016						
Application fee paid	Date: 29/02/2016						
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> ?	<table border="1"> <tr> <td>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> <td>Referral decision No:</td> </tr> <tr> <td></td> <td>Managed under Part V <input type="checkbox"/></td> </tr> <tr> <td></td> <td>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:</td> </tr> <tr> <td></td> <td>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 type="checkbox"/> No <input checked="" type="checkbox"/>						
If Yes include details of which EPP(s) here.							
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.							



### 3 Executive summary of proposal and assessment

Tox Free Australia Pty Ltd operates the Tox Free Australia Kwinana Waste Treatment Plant (the plant) located on Lot 15 (Diagram 87731), Mason Road, Kwinana Beach, Western Australia.

The plant currently offers a range of industrial and hazardous waste treatment services including:

- household hazardous waste collection, consolidation and disposal of packaged chemicals;
- stabilisation, solidification & fixation;
- recycling and resource recovery;
- physiochemical treatment such as acid/base neutralisation and oxidation/reduction;
- concrete encapsulation;
- PCB transformer & equipment decontamination; and
- Quarantine cleaning

Non-processing areas are bitumen sealed and stormwater drains to onsite soakwells. Process areas are concrete sealed and bunded. Surface water drains to blind sealed sumps. Once assessed for contamination, wastewater from the sumps is stabilised onsite or dispatched to a licenced liquid waste treatment plant.

The site is listed on the DER's contaminated sites database as "Contaminated-Restricted Use". The site was originally reported to the former Department of Environment and Conservation (now DER) prior to commencement of *Contaminated Sites Act 2003*, and was reported again in May 2007.

The site is low lying (elevation approximately 5 m (AHD) and approximately 2 km inland from the coast. Underlying superficial geology comprises alluvium, shoreline and Aeolian deposits. The site is also located within the Cockburn Groundwater Area. Groundwater occurs within three limestone, calcrete aquifer systems: Superficial Swan, Perth Leederville and Yarragadee North aquifers.

Groundwater monitoring is undertaken annually at ten (10) bores on and surrounding the site. As at February 2014, monitoring results indicated that metals, in particular arsenic was detected in both up-gradient and down-gradient wells.

Tox Free Australia Kwinana Waste Treatment Plant used to operate the Thermal Desorption Unit (TDU) which has now been decommissioned. An application was submitted to DER on 19 December 2014 requesting the removal of category 39 (Chemical or oil recycling) from the Licence. As part of the renewal process all conditions relating to category 39 will also be removed from the Licence.

A P4 form was also submitted to DER on 8 July 2014 requesting the transfer of Licence L6297/1993/10 from Tox Free (Kwinana) Pty Ltd to Tox Free Australia Pty Ltd.

Tox Free (Kwinana) Pty Ltd and Tox Free Australia Pty Ltd are controlled entities of Tox Free Solutions Limited (Parent Controlling Entity). Tox Free (Kwinana) Pty Ltd is a dormant entity and will be liquidated in the foreseeable future. Tox Free Solutions Limited has a deed of cross guarantee which covers all subsidiaries. The renewed Licence will therefore be issued to Tox Free Australia Pty Ltd.

Tox Free is also proposing to add a High Shear Mixer to the Chemical Fixation and Stabilisation (CFS) process. This is an enclosed unit and will be used to treat solid and liquid waste with contaminant concentrations that are less than criteria for Class V landfills. A trial will be conducted onsite to determine the suitability of a reagent prior to making some changes to the Plant.

The main potential emissions generated from the site will be dust and odour through incorrect operating procedures. The emissions have been assessed through the Decision Document and it is





anticipated that these emissions can be adequately managed under the provisions of the *Environmental Protection Act 1986* and mitigation measures put in place by the Licensee.

This Licence is the successor to licence L6297/1993/10 and includes changes to conditions in accordance with DER's latest licensing template and licensing processes.



## 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	L1.2.1 – 1.2.3  L3.1.5	<p><u>Emission Description</u>  <i>Emission:</i> Stormwater contaminated with hazardous solid and liquid waste from onsite operations.  <i>Impact:</i> Contamination of surrounding land and surface water drainage systems. Potential impacts on ecology of surface water from the addition of nutrients and heavy metals.  <i>Controls:</i> Tox Free Australia Kwinana Waste Treatment Plant's non-process areas are bitumen sealed, bunded and stormwater drains to onsite soakwells. Process areas are concrete sealed, bunded and surface water drains to blind sealed pumps. Once assessed for contamination wastewater from the sumps is stabilised onsite or dispatched to a licensed liquid waste treatment plant.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u>            Condition 1.2.1 has been added to the licence requiring that uncontaminated stormwater within the premises is managed and contaminated or potentially contaminated stormwater is retained onsite prior to removal for offsite treatment or disposal.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Unauthorised Discharges) 2004</i></p> <p>Application supporting documentation</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>Condition 1.2.2 has been added to the Licence to recover, or remove or dispose of spills of waste outside an engineered containment system.</p> <p>Condition 1.2.3 has been added to the Licence requiring the Licensee to employ and maintain infrastructure onsite (concrete bunds and stormwater drains) to ensure that uncontaminated stormwater runoff does not come into contact with waste on the premises.</p> <p>Licence condition 3.1.5 which replaces previous Licence conditions 2 and 3, has been added to the Licence to ensure Tox Free Australia Kwinana Waste Treatment Plant conduct visual inspections of infrastructure at the site and records are retained on the premises, which will be required to be submitted to DER upon the CEO's request.</p> <p><u>Residual Risk</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Low</p>	
Premises operation	1.3.1 – 1.3.8  3.3.1	<p><u>Emission Description</u>  <i>Emission:</i> Potential discharges to land from hazardous liquid and solid waste.  <i>Impact:</i> Contamination of surrounding land from environmentally hazardous materials and heavy metals. The site is located within the Cockburn Groundwater Area. Groundwater occurs within three limestone calccrete aquifer systems (Superficial Swan, Perth Leederville and Yarragadee North aquifers).  <i>Controls:</i> Wastes are stored within concrete constructed hardstand areas with bunding to prevent spillages occurring at the yards.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Unauthorised Discharges) 2004</i></p> <p>Application</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Risk Assessment</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Possible  <i>Risk Rating:</i> Moderate</p> <p>Licence condition 1.3.2 has been added to the Licence which outlines the waste types and maximum amount for acceptance at the site.</p> <p>Licence condition 1.3.3 has been added to the Licence to ensure that all wastes at the premises are subjected to certain processes.</p> <p>Licence condition 1.3.4 has been added to the Licence to ensure that where waste does not meet the acceptance criteria it is stored in an appropriate area of the premises and removed to an authorised facility to reduce the potential for a discharge or an emission to the environment.</p> <p>Licence condition 1.3.6 has been added to the Licence to ensure there is adequate security measures in place to prevent unauthorised access at the site which in turn will reduce the potential for public health risks and the potential for unauthorised discharges from the site.</p> <p>Licence condition 1.3.7 has been added to the Licence to ensure the Licensee implements control measures to prevent infestations of pests, flies and vermin at the Premises.</p> <p>Licence condition 1.3.8 has been added to the Licence requiring the Licensee to clean out any drains, oil traps and sumps to ensure the continued performance of the system.</p> <p>Licence condition 3.3.1 has been added to the Licence to allow for the construction of</p>	supporting documentation



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>concrete hardstand and blind sumps in the unloading area. This will further decrease any risk to contamination of the surrounding area as well as protecting the ground water from getting contaminated from the activities carried out onsite.</p> <p>All previous Licence conditions that related to category 39 activities (chemical or oil recycling) will not be included in this Licence (L6297/1993/11) since the Thermal Desorption Unit (TDU) has now been decommissioned.</p> <p><u>Residual Risk</u>  <i>Consequence:</i> Insignificant  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Low</p> <p><u>Emission Description</u>  <i>Emission:</i> Hazardous liquid and solid waste not able to be homogenised adequately in the High Shear Mixer for disposal offsite.  <i>Impact:</i> Improper homogenisation may result in exceedances of landfill acceptance criteria levels and contamination of landfills from environmentally hazardous materials and heavy metals.  <i>Controls:</i> Waste materials will be analysed and a trial conducted prior to ongoing acceptance of waste for the high shear mixer; the trial will be conducted by a qualified chemist or suitably qualified person to determine the suitability of a reagent, optimise reagent to waste proportions and fixated materials will be analysed by a NATA certified laboratory.</p> <p><u>Risk Assessment</u>  <i>Consequence:</i> Minor  <i>Likelihood:</i> Unlikely  <i>Risk Rating:</i> Moderate</p>	



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<p>Licence condition 1.3.5 has been added to the Licence to ensure that all treated waste meets the destination landfill criteria prior to disposal.</p> <p>Licence condition 3.2.2 has been added to the Licence requiring the Licensee to submit test results from the trial to DER before accepting waste for treatment purposes using the High shear mixing process.</p> <p>Licence condition 3.3.1 has been added to the Licence requiring the Licensee to notify DER the completion of the installation of High Shear Mixer to the existing CFS process.</p> <p>Licence condition 1.3.2 has been added to the Licence which only allows 1000 tonnes of waste to be used in the High Shear mixer trial.</p> <p><u>Residual Risk</u>  <i>Consequence</i>: Insignificant  <i>Likelihood</i>: Unlikely  <i>Risk Rating</i>: Low</p>	
<b>Dust</b>	N/A	Fugitive emissions of dust can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i> . In accordance with DER's licensing process, no specified conditions for fugitive emissions have been included on this licence.	<i>Environmental Protection Act 1986.S49</i>
<b>Odour</b>	N/A	Odour can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i> . In accordance with DER's licensing process, no specified conditions for fugitive emissions have been included on this licence.	<i>Environmental Protection Act 1986.S49</i>
<b>Noise</b>	N/A	Noise is not expected to be an issue at the premises. Premises is situated in an industrial area. The provisions of the <i>Environmental Protection (Noise) Regulations 1997</i> will apply.	<i>Environmental Protection Act 1986.S49</i>
<b>Monitoring of inputs and outputs</b>	L2.2.1	Licence condition 2.2.1 has been added to the Licence which requires the Licensee to record waste types coming into the Facility and waste types leaving or rejected from the Facility.	N/A



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
<b>Information</b>	L3.1.1 – L3.1.5 L3.2.1 – L3.2.2 L3.3.1	<p>Licence condition 3.1.1 has been added to the Licence to ensure all records required by the Licence are retained and be made available.</p> <p>Licence condition 3.1.2 has been added to the Licence, which replaces condition 23 of the previous Licence, requires the submission of the Annual Audit Compliance Report which is to outline the extent to which the conditions of the Licence has been complied with during the annual period.</p> <p>Licence condition 3.1.3 has been added to the Licence which requires the licensee to manage and maintain a complaints registry.</p> <p>Licence condition 3.1.4 has been added to the Licence to ensure the Licensee maintain records of all waste types received and dispatched onsite. These records will be required to be submitted to DER upon the CEO's request.</p> <p>Licence condition 3.1.5 has been added to the Licence to sure the Licensee conducts visual inspection of infrastructure at the site and maintains records, which will be required to be submitted to DER upon the CEO's request.</p> <p>Licence condition 3.2.1 has been added to the Licence which replaces previous Licence condition 22 and outlines the requirement to submit to DER an annual environmental report.</p> <p>Licence condition 3.2.2 has been added to the Licence to outline non-annual reporting requirements.</p> <p>Licence condition 3.3.1 has been added to the Licence to ensure DER is notified about the completion of the following;</p> <ul style="list-style-type: none"> <li>• Installation of High Shear Mixer to the existing CFS process;</li> <li>• Installation of blind sealed sumps in the new concrete unloading area;</li> </ul>	N/A



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<ul style="list-style-type: none"><li>• Installation of concrete hardstand in the loading area; and</li><li>• Installation of new dangerous goods storage area.</li></ul>	
<b>Licence Duration</b>	N/A	<p>The first Licence for the Premises was issued in March 2011. In line with DER's Guidance statement titled 'Licence duration' the Licence will be granted for a period of 20 years. DER has based this duration on the risk based priority of the site, which is deemed to be moderate, due to the nature of the activities and the controls in place.</p> <p>The City of Kwinana advised DER that they have no objection to the issuing of the licence for a 20 year period.</p>	DER Guidance statement: Licence duration.





## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
7/03/2016	Application advertised in West Australian (or other relevant newspaper)	No comments received	N/A
9/03/2016	Application referred to City of Kwinana	<p>Following comments were received:</p> <ul style="list-style-type: none"> <li>We do not have concerns as long as they abide by the relevant legislation.</li> <li>One condition we can put down though is- Owner/occupier of the premises to comply with the Contaminated Sites Act 2000 by keeping the property in a clean condition at all times.</li> </ul>	<p>Licence conditions are not able to mirror the requirements of existing legislation.</p> <p>Proponent advised about comments that were received.</p>
10/03/2016	Proponent sent a copy of draft instrument	<p>Following comments were received:</p> <p>Licence document</p> <ul style="list-style-type: none"> <li>Correct registered office address provided.</li> <li>Minor amendments to Premises description and Licence summary section</li> <li>Contaminated Solid Waste definition only relates to Class II landfills</li> <li>Contaminated storm water treated onsite or offsite pending disposal.</li> <li>Minor amendments to Table 1.3.1</li> <li>A number of treatments are missing from Table 1.3.2</li> </ul>	<ul style="list-style-type: none"> <li>Registered office address updated</li> <li>Amendments incorporated where appropriate</li> <li>Contaminated Solid Waste definition amended to include other Classes of landfill</li> <li>Condition 1.2.1 amended to make reference to storm water being treated offsite as well prior to disposal.</li> <li>Table 1.3.1 amended</li> <li>Table 1.3.2 amended to include all treatment options.</li> </ul>



Date	Event	Comments received/Notes	How comments were taken into consideration
		<ul style="list-style-type: none"> <li>• Why there is a six week limitation for storing treated solid wastes onsite in Table 1.3.2.</li> <li>• Condition 1.3.5 requires all treated waste to meet the landfill acceptance criteria prior to disposal. Toxfree currently run a continuous process rather than a batch process. Sampling and analysis is completed throughout the process and provided to the landfill. There is 2 years of historical data to demonstrate compliance with landfill acceptance criteria. For the High Shear Mixer, Toxfree can comply with assessment prior to landfill disposal as this will be a batch process. Can we reword this condition to reflect the existing process or make it applicable to only the high shear mixer or have 2 separate conditions?</li> <li>• Condition 3.1.5 requires the proponent to keep log books to record the outcomes of visual inspections carried out. Toxfree do not have a log book. We have the original hard copy and this is then entered into our safety system and maintenance system.</li> <li>• Change submission date of the AER and AACR from 31 January to 31 March.</li> </ul>	<ul style="list-style-type: none"> <li>• Six week limitation only applies to putrescible solid wastes and since the site will not be handling significant amount the six week limitation period will be removed.</li> <li>• All treated wastes are required to meet the landfill acceptance criteria prior to disposal and therefore condition will not be removed. Either continuous sampling or batch sampling will be sufficient to demonstrate that the treated waste meets the landfill acceptance criteria prior to disposal.</li> <li>• Licence condition amended which now requires the proponent to keep records of the visual inspection carried out.</li> <li>• AER and AACR submission date changed to 31 March.</li> </ul>



Date	Event	Comments received/Notes	How comments were taken into consideration
		<ul style="list-style-type: none"><li>• Minor amendment to Table 3.3.1</li></ul>	<ul style="list-style-type: none"><li>• Amendment incorporated.</li></ul>



## 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