



Government of **Western Australia**
Department of **Environment and Conservation**

Your ref: L7309/1997/10
Our ref: 2010/2601
Enquiries: Jo Tuohy
Phone: 93337524
Fax: 9333 7550
Email: Jo.tuohy@dec.wa.gov.au

Manager
Water Corporation
PO Box 100
LEEDERVILLE WA 6902

Dear Sir / Madam

ENVIRONMENTAL PROTECTION ACT 1986 – LICENCE
Nowergup Biosolids Facility
Lot 12738 on Plan 193226, Wesco Road
NOWERGUP WA 6032

Your application for a licence under Part V of the *Environmental Protection Act 1986* for the above premises has been issued subject to the attached conditions. Enclosed is your licence number **L7309/1997/10**.

If you are concerned about, or object to any of the conditions 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 licence. 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.

Under Section 58 of the *Environmental Protection Act 1986*, it is an offence to contravene a licence condition. This offence carries a penalty of up to \$125,000, with a daily penalty of up to \$25,000.

If you have any questions relating to the licence or licence conditions, please contact Jo Tuohy on 9333 7510.

Yours sincerely

Carissa Aitken
Acting Manager, Works Approvals and Emissions Licensing Section

Thursday, 22 September 2011
enc: Licence **L7309/1997/10**

copy to: Local Government Authority: City Of Wanneroo

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000

Phone: (08) 6467 5000 Fax: (08) 6467 5562

PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Hackett Drive, Crawley, Western Australia 6009

Phone: (08) 9442 0300 Fax: (08) 9386 1578 Operations: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151

Phone: (08) 9219 8000 Fax: (08) 9334 0498

POSTAL ADDRESS FOR ALL DIVISIONS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983

www.dec.wa.gov.au

wa.gov.au

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WESTERN AUSTRALIA

DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Environmental Protection Act 1986

LICENCE

LICENCE NUMBER: L7309/1997/10

FILE NUMBER: 2010/2601

LICENSEE AND OCCUPIER

Water Corporation
PO Box 100
LEEDERVILLE WA 6902
ABN 28 003 434 917

NAME AND LOCATION OF PREMISES:

Nowergup Biosolids Facility
Lot 12738 on Plan 193226
Wesco Road
NOWERGUP WA 6032
(as depicted in Attachment 1)

Environmental Protection Regulations 1987
CLASSIFICATION(S) OF PREMISES:

Category 62: Solid waste depot

COMMENCEMENT DATE OF LICENCE: Monday, 31 October 2011

EXPIRY DATE OF LICENCE: Sunday, 30 October 2016

CONDITIONS OF LICENCE:

As described and attached:

DEFINITION(S)

GENERAL CONDITION(S): 5

AIR POLLUTION CONTROL CONDITIONS(S): 2

WATER POLLUTION CONTROL CONDITION(S): 4

SOLID WASTE CONTROL CONDITION(S): 1

ATTACHMENTS(S): 2



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

Date of Issue: Thursday, 22 September 2011

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER L7309/1997/10

FILE NUMBER 2010/2601

PREAMBLE

The following statements in this Preamble either reflect important sections of the Environmental Protection Act 1986 or provide relevant background information for the licensee. They should not be regarded as conditions of licence.

Applicability

This licence is issued to the Water Corporation for the Nowergup Biosolids Facility, Lot 12738 on Plan 193226, Wesco Road, Nowergup (as depicted in Attachment 1), which is a prescribed premises within Schedule 1 of the *Environmental Protection Regulations 1987*, as outlined in Table 1. The activity at the premises includes but is not necessarily limited to, the following operation:

- Temporary storage of biosolids

Table 1: Category under which Nowergup Biosolids Facility is prescribed.

| <i>Category number</i> | <i>Category description</i> | <i>Nominal rated throughput</i> |
|------------------------|--|---------------------------------|
| 62 | Solid Waste Depot: premises on which waste is stored, or sorted, pending final disposal or reuse | Less than 5000 tonnes per year |

Relevant Information

These conditions of licence refer to the emergency storage of biosolids at the premises prior to transportation to other locations. Water Corporation has subleased a portion of the facility to Amazon Soils and Landscaping for a composting operation. This composting operation is subject to a separate licence (number 7391).

There was strong community concern with respect to the construction of this facility. One of the main issues of concern was that the hardstand bases in the biosolids transfer area may not be impermeable, and so may be allowing contaminants to be leached into the groundwater. Anecdotal evidence of leaching appears to be supported by the results of permeability studies reported by Kinhill in March 1999.

Based on the disputably permeable hardstand bases in the biosolids transfer area, this licence only allows the emergency storage of biosolids in the specially designed storage bunkers. The DEC approved the use of these storage bunkers in August 2001.

The biosolids storage area and associated storage bunkers have been designed to direct all leachate and surfacewater run-off to an on site collection pond via a sump.

Fly Control

The licensee should take all reasonable and practicable measures to control insect breeding in all areas where biosolids are stored. Biosolids stockpiles should be monitored and any evidence of fly breeding activities reported to the Director and the Wastewater Management Section of the Health Department of Western Australia.

Internal Buffer Distances

The licensee should be aware that the internal buffer distance has not been stipulated in this licence because the distance to the nearest residence is 1.5 km. However, where unacceptable offsite impacts occur, the internal buffer distance may be stipulated to minimise impacts.

CONDITIONS OF LICENCE

Environmental Protection Act 1986

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Emergency, Accident or Malfunction

The licensee should inform the Director as soon as practicable of the identification of any discharge of waste which has occurred as a result of an emergency, accident or malfunction, or extreme weather conditions, otherwise than in accordance with any condition of this licence and has caused or is likely to cause pollution.

Alteration to Premises

Prior to making any significant alterations to the premises which may affect the air, water or noise emissions from the premises the licensee must submit a proposal to the Director accompanied by supporting information and plans which allow the environmental impact of that change to be assessed.

General Requirements

- The licensee should take all reasonable and practicable measures to prevent pollution of the environment.
- Noise emissions from operations on site are required to comply with the *Environmental Protection (Noise) Regulations 1997*.
- The licensee should take all reasonable and practicable measures to prevent or minimise the discharge of waste and the emission of noise, odours or electromagnetic radiation from the premises.
- The licensee should inform the Director at least 24 hours prior to the commencement of any planned non-standard operations, which may have the potential to cause pollution.

CONDITIONS OF LICENCE

DEFINITIONS

In these conditions of licence, unless inconsistent with the text or subject matter:

'approved' or 'approval' means approved or approval by the Director in writing from time to time;

"APHA-AWWA-WEF" means American Public Health Association; American Water Works Association; Water Environment Federation;

'biosolids' means stabilised, nutrient rich organic solid residues generated from the wastewater treatment processes which in most cases can be used beneficially;

'biosolid cake' means dewatered raw sludge stabilised by anaerobic digestion;

'lime amended biosolids' means raw sludge which has been dewatered and stabilised with the addition of lime;

"Director" means Director, Environmental Regulation Division of the Department of Environment and Conservation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the *Environmental Protection Act 1986*;

"Director" for the purpose of correspondence means:

Regional Leader, Industry Regulation
Swan Region
Department of Environment and Conservation
Locked Bag 104
BENTLEY DELIVERY CENTRE WA 6983

CONDITIONS OF LICENCE

Environmental Protection Act 1986

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FILE NUMBER 2010/2601

Booragoon Office:
181-205 Davy Street
Booragoon WA 6154

Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550;

'impermeable' means not able to be penetrated by water at a rate greater than 10^{-9} metres per second;

'leachate' means water that has been allowed to contact biosolids;

'lime amended biosolid' means biosolid with 10–30% by weight of lime added; and

'premises' means Nowergup Biosolids Facility, Lot 12738 on Plan 193226, Nowergup (as depicted in Attachment 1).

GENERAL CONDITIONS

ANNUAL AUDIT COMPLIANCE REPORT

- G1 The licensee shall by **1 September each year**, provide to the Director an Annual Audit Compliance Report in the form of Attachment 2 to this licence, signed and certified in the manner required by Section C of the form indicating the extent to which the licensee has complied with the conditions of this licence and any previous licence issued under part V of the Act for the premises during the period beginning July 1 the previous year and ending on June 30 in the following year.

PUBLIC ACCESS

- G2 The licensee shall ensure that any entrance to the premises is securely locked when the premises is unattended.

MONITORING REQUIREMENTS

- G3 The licensee shall submit to the Director by **1 September each year** an Annual Monitoring Report detailing the measures or actions taken to prevent off-site impacts or pollution from the site over the previous financial year. The monitoring report shall provide information on the following matters and in each case shall provide an assessment of the effectiveness of the measure and also what actions are proposed to increase effectiveness:
- (i) the effectiveness of measures taken to control pests and vermin;
 - (ii) the effectiveness of fire breaks and the details of any fires on site;
 - (iii) the effectiveness of dust suppression measures;
 - (iv) summary of the number and type of complaints received including nature of complaint (where appropriate cross referenced with prevailing wind directions) and action taken;
 - (v) any changes to site boundaries, internal buffer zones, location of groundwater monitoring bores, surface drainage channels and on-site or off-site impacts of pollution;
 - (vi) results of groundwater monitoring as specified in condition W3.

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER L7309/1997/10

FILE NUMBER 2010/2601

COMPLAINTS

- G4 The licensee shall keep a written record of all complaints received concerning the environmental impact of the premises. The record must be in the form of a bound volume with numbered pages and must record the following:
- (i) the complainant(s) name and address (if known);
 - (ii) date and time of complaint;
 - (iii) location from which the complaint arose (if known);
 - (iv) general description/nature of complaint;
 - (v) likely source of the recorded problem;
 - (vi) action taken by the licensee; and
 - (vii) the effectiveness of the measures taken to control odours.

COVERING OF BIOSOLIDS

- G5 The licensee shall cover biosolids cake stored on the premises from September to May with shadecloth, tarpaulins or similar material within 7 days of the commencement of storage.

AIR POLLUTION CONTROL CONDITIONS

DUST SUPPRESSION

- A1 The licensee shall manage the storage and handling of biosolids, such that no visible dust crosses the boundary of the premises from these activities.

BURNING OF WASTE

- A2 The licensee shall not burn waste on the premises.

WATER POLLUTION CONTROL CONDITIONS

LEACHATE AND STORMWATER CONTROL

- W1(a) The licensee shall maintain stormwater diversion drains to divert stormwater away from the biosolids storage area(s).
- W1(b) The licensee shall direct stormwater and leachate collected in the biosolids storage area sump to the on site collection pond.

BIOSOLIDS STORAGE AREA

- W2(a) The Licensee shall only store lime amended biosolid on the hardstand area.
- W2(b) The licensee shall only store biosolid cake in the storage bunkers.

GROUNDWATER MONITORING

- W3(a) The licensee shall, at the frequency stated, take and have analysed representative water samples from bores 3/97, 4/97 and 5/97 (as depicted in Attachment 1) for the following parameters:

| Sampling Frequency | Parameters to be measured |
|--------------------|--|
| 6 monthly | Standing Water Level, pH, conductivity, Total nitrogen, Total phosphorus |

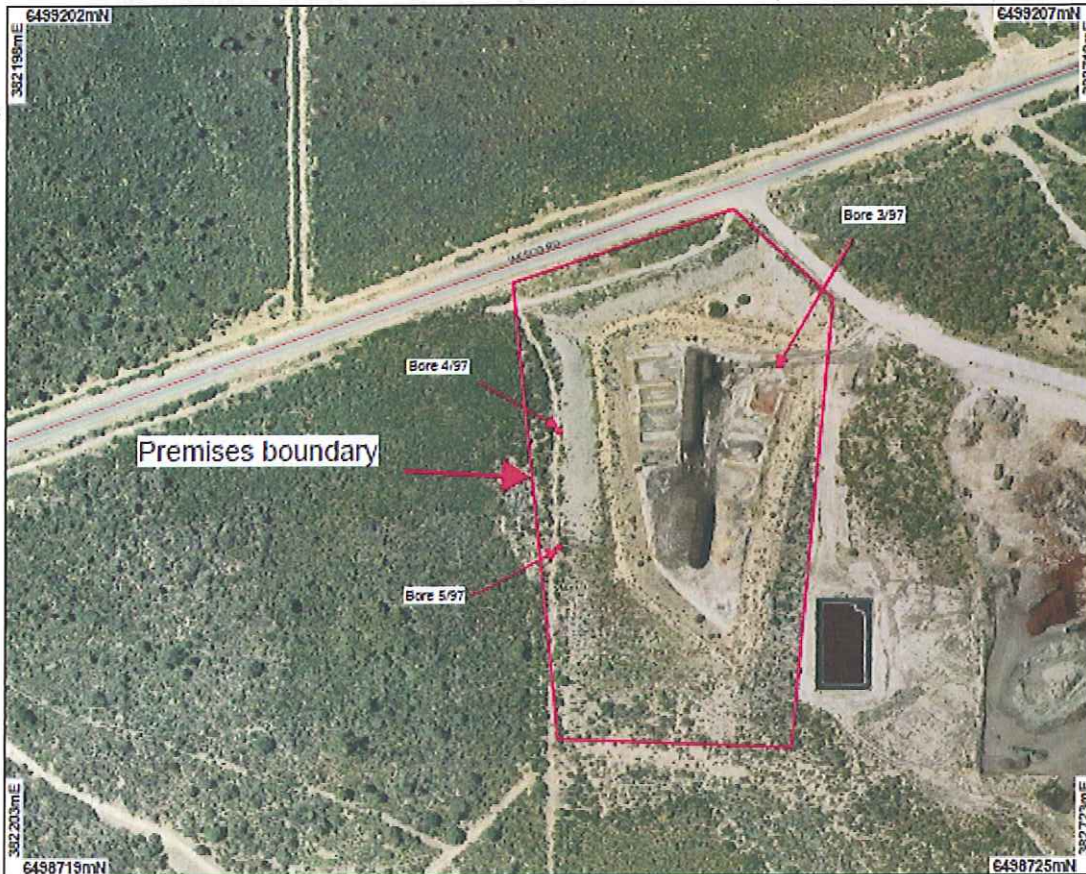
Standing Water Level shall be determined prior to collection of other water samples. Measurements of nutrients are to be presented in mg/L.

ATTACHMENT 1- Plan of Premises

LICENCE NUMBER L7309/1997/10

FILE NUMBER 2010/2601

NOWERGUP BIOSOLIDS FACILITY
LOT 12738 ON PLAN 193226
WESCO ROAD
NOWERGUP WA 6032



LEGEND

| | | |
|--|--|--|
| Local Government Authorities | Road Centrelines | Revision added |
| Swan River Trust Act, Swan River Trust Management Area | Swan Coastal Plain South Landgate 2009 | Consolidation |
| | Agnes 1.3m Orthomosaic Landgate 2005 | Swan Coastal Plain North 20m Orthomosaic Landgate 2009 |
| | Image Index (cont) | |

N
 0 75 m
 Scale 1:3000
 (Approximate when reproduced at Letter)
 Geocentric Datum Australia 1994
 Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.
 Prepared by: jpb
 Prepared for:
 Date: 15/02/2011 11:33:11 AM
 Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.
 Department of Environment and Conservation
 Our environment, our future
 WA Green Design 2002

CONDITIONS OF LICENCE

Environmental Protection Act 1986

LICENCE NUMBER L7309/1997/10

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W3(b) The licensee shall collect all water samples in accordance with the relevant parts of Australian Standard 5667:1998.

W3(c) The licensee shall submit all water samples to a laboratory with current NATA accreditation for the analyses specified in accordance with the current "Standard Methods for Examination of Water and Wastewater" (APHA-AWWA-WEF).

WASHDOWN FACILITY

W4(a) The licensee shall ensure that any vehicle that has the potential to track waste or matter from the premises off-site, is washed down in a dedicated washdown bay prior to departing the premises.

W4(b) The licensee shall ensure that wastewater emanating from the washdown bay referred to in condition W4(a) is contained within an impervious leachate sump.

SOLID WASTE DISPOSAL CONDITION

SOLID WASTE DISPOSAL

S1 The licensee shall dispose of any sludges removed from the on site collection pond referred to in condition W1(b) to a licensed facility.



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

Date of Issue: Thursday, 22 September 2011

ATTACHMENT 2 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L7309/1997/10

FILE NUMBER 2010/2601

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 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 2 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L7309/1997/10

FILE NUMBER 2010/2601

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 DEC? | |
| <input type="checkbox"/> Yes <input type="checkbox"/> Reported to DEC verbally Date _____ <input type="checkbox"/> Reported to DEC in writing Date _____ | <input type="checkbox"/> No |
| d) Has DEC taken, or finalised any action in relation to the non compliance? | |
| | |
| e) Summary of particulars of 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 2 – ANNUAL AUDIT COMPLIANCE REPORT

LICENCE NUMBER L7309/1997/10

FILE NUMBER 2010/2601

SECTION C - SIGNATURE AND CERTIFICATION

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