



Government of **Western Australia**  
Department of **Environment Regulation**

Your ref L7433/2000/8  
Our ref 2010/003480  
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Mr Martin Miles  
Miles Contracting Services Pty Ltd  
GPO Box 2669  
BOULDER WA 6432

Dear Mr Miles

**ENVIRONMENTAL PROTECTION ACT 1986: LICENCE**

**Premises**

Miles Contracting Services Pty Ltd  
**Licence Number:** L7433/2000/8

You are advised that your application for a licence to operate the works prescribed under the *Environmental Protection Act 1986* at the above-mentioned location has been approved subject to the attached conditions. Your receipt for the prescribed fee will be forwarded to you separately.

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

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

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

If you have any queries regarding the above information, please contact Abnesh Chetty on 9080 5555.

Yours sincerely

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

Thursday, 22 May 2015



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Miles Contracting Services Pty Ltd

**Licence:** L7433/2000/8

**Registered office:** 41 Brookman Street  
KALGOORLIE WA 6430

**ACN:** 066 275 509

**Premises address:** Miles Contracting Services Pty Ltd  
20-24 Oroya Street  
BOULDER WA 6432  
Being Lot 1927 on Plan 188582 as depicted in Schedule 1.

**Issue date:** Thursday, 21 May 2015

**Commencement date:** Friday, 22 May 2015

**Expiry date:** Wednesday, 21 May 2025

**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
57	Used tyre storage (general); premises (other than premises within category 56) on which used tyres are stored.	100 tyres or more	No more than 700 tyres at any one time

**Conditions**

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

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



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

### Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.



- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

#### **Licence fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

#### **Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

#### **Premises description and Licence summary**

Miles Contracting Services (MCS) is located at Lot 1927 on Plan 188582, 20 – 24 Oroya Street in Boulder, Western Australia and MCS stores tyres of different sizes. No more than 700 tyres can be stored on site at any one time. Used tyres are delivered to the premises via trucks which are authorised Controlled Waste Carriers and transferred to the storage area at the premises. The tyres are stored outside and within a hardstand bunded area. Within three weeks of delivery to the premises, stored tyres are cut up with a demolition shear and transported the same day to Yarri Road Refuse Facility for disposal. Yarri Road Refuse Facility is a licenced landfill that is authorised to accept tyres.

Stored tyres create the potential for a number of emissions such as air emissions if the tyres catch fire and stormwater emissions if fire water is discharged to the environment. MCS therefore has an effective contingency plan for containment of liquid waste that may be produced from a tyre fire on the premises. This containment infrastructure includes, but not limited to, a bund to contain the contaminated fire water. The contingency plan, which was developed by an experienced emergency services trainer in 2004 is regularly updated and the plan was last reviewed at an audit carried out by the Department of Environment Regulation's Controlled Waste team in December 2014.

The main emissions of concern are general emissions stormwater and premises operations tyre fires.

This Licence is the successor to licence L7433/2000/7 and has been converted to the REFIRE format.

The licences issued for the Premises since 2010 are:

Instrument log		
Instrument	Issued	Description
L7433/2000/7	22/05/2010	Licence re-issue
L7433/2000/8	TBA/05/2015	Licence re-issue to REFIRE format



**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 July until 30 June 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 North)  
Department of Environment Regulation  
Locked Bag 33 Cloisters Square  
PERTH WA 6850  
Telephone: (08) 9333 7510  
Facsimile: (08) 9333 7550  
Email: [industry.regulation@der.wa.gov.au](mailto:industry.regulation@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;

'combustible material' means any material that is capable of readily catching fire if heated or otherwise exposed to an external flame and which is further capable of burning easily;

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

'emergency preparedness plan' means Emergency Preparedness Plan (2004) for Miles Contracting Services Pty Ltd prepared by Emergency Training Consultants;

'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;

'fire water' means water that, in the event of a fire, has been used to extinguish a fire and all materials and combustion products dissolved or suspended within such water and includes other fire suppressant substances such as foam;

'fugitive emissions' means all emissions not arising from point sources identified in sections 2.2, 2.3, 2.4 and 2.5;



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

**'Licence'** means this Licence numbered L7433/2000/8 and issued under the Act;

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

**'non-combustible material'** means material that is not combustible material;

**'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; and

**'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 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.<sup>1</sup>

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 only accept waste onto the Premises if:
- (a) it is of a type listed in Table 1.3.1; and
  - (b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
  - (c) it meets any specification listed in Table 1.3.1.

**Table 1.3.1: Waste acceptance**

Waste type	Quantity limit	Specification <sup>1</sup>
Inert Waste Type 2 - Tyres	No more than 700 tyres at any one time	Tyres only

Note 1: Additional requirements for the acceptance of controlled waste (including animal effluent or residues; and vegetable and food processing waste) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

- 1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a segregated storage area or container and removed to an appropriately authorised facility as soon as practicable.
- 1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the processes set out in Table 1.3.2 and in accordance with any process limits described in that Table.

**Table 1.3.2 Processing of materials**

Waste type	Process	Process requirements <sup>1</sup>
Inert Waste Type 2 - Tyres	Receipt, handling, storage, shredding prior to off premises disposal.	<ul style="list-style-type: none"><li>• To be stored according to size, horizontally in stacks not exceeding 3.7 metres in height, in 60 metre squared area batches and 12.5 tonnes in weight<sup>2</sup>;</li><li>• Tyres are not to be stored in such a manner as to obscure any fire fighting protection equipment (including fire hydrants and fire hoses) or related signage;</li><li>• To be stored outside on a level hardstand (compacted road base) surface;</li><li>• Maintain bunding to the tyre storage catchment area to ensure fire water will be contained within the premises; and</li><li>• A 6m separation distance between tyre piles or any other infrastructure is to be maintained.</li></ul>

Note 1: *Environmental Protection Regulations 1987*, Part 6.

Note 2: New South Wales Government, Fire & Rescue NSW, *Guideline for bulk storage of rubber tyres*, December 2014.

- 1.3.4 The Licensee shall implement the following security measures at the site:
- (a) erect and maintain suitable non-combustible fencing to prevent unauthorised access to the site as far as is practicable;
  - (b) ensure the property has at least two entrances that are sufficiently wide to allow for emergency access for fire and rescue services fire fighting appliances;



- (c) ensure that any entrance gates to the premises are securely locked when the premises is unattended; and
  - (d) undertake regular inspections of all security measures and repair damage as soon as practicable.
- 1.3.5 The licensee shall ensure their Emergency Preparedness Plan remains current to suit the activities of the business.
- 1.3.6 The Licensee shall ensure that no tyres are burnt at the Premises;
- 1.3.7 The Licensee shall ensure that fire fighting equipment, capable of controlling and extinguishing a tyre fire, is stored onsite.
- 1.3.8 The Licensee shall take all reasonable and immediate steps to extinguish any fire(s) at the premises.
- 1.3.9 The licensee shall without any undue delay following the extinguishing of a fire, ensure that fire water is removed from the Premises by a carrier licensed under the *Environmental Protection (Controlled Waste) Regulations 2004*.

## **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 or groundwater in this section

### **2.5 Emissions to land**

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

### **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.

### **2.7 Odour**

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

### **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 emissions to air, surface water and groundwater in these sections.

### 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
Tyre units	Used tyres	By individual/ tyre unit	Monthly	Each unit arriving at premises
Tyre units	Used tyres	By individual/tyre unit	Monthly	Tyre unit leaving or rejected from the premises.

### 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 by 31 August each year. 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 <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 3.6.1	Monitoring of inputs and outputs	None specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified



### 5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
	Any fire on the Premises	As soon as practicable but no later than 5pm of the next usual working day.	N1
	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution		
	Any action, malfunction or emergency which could result in the discharge of; (a) wastewater from the premises; or (b) any emission or deposit of waste not permitted by this licence	As soon as practicable but no later than 5pm of the next usual working day.	N1

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

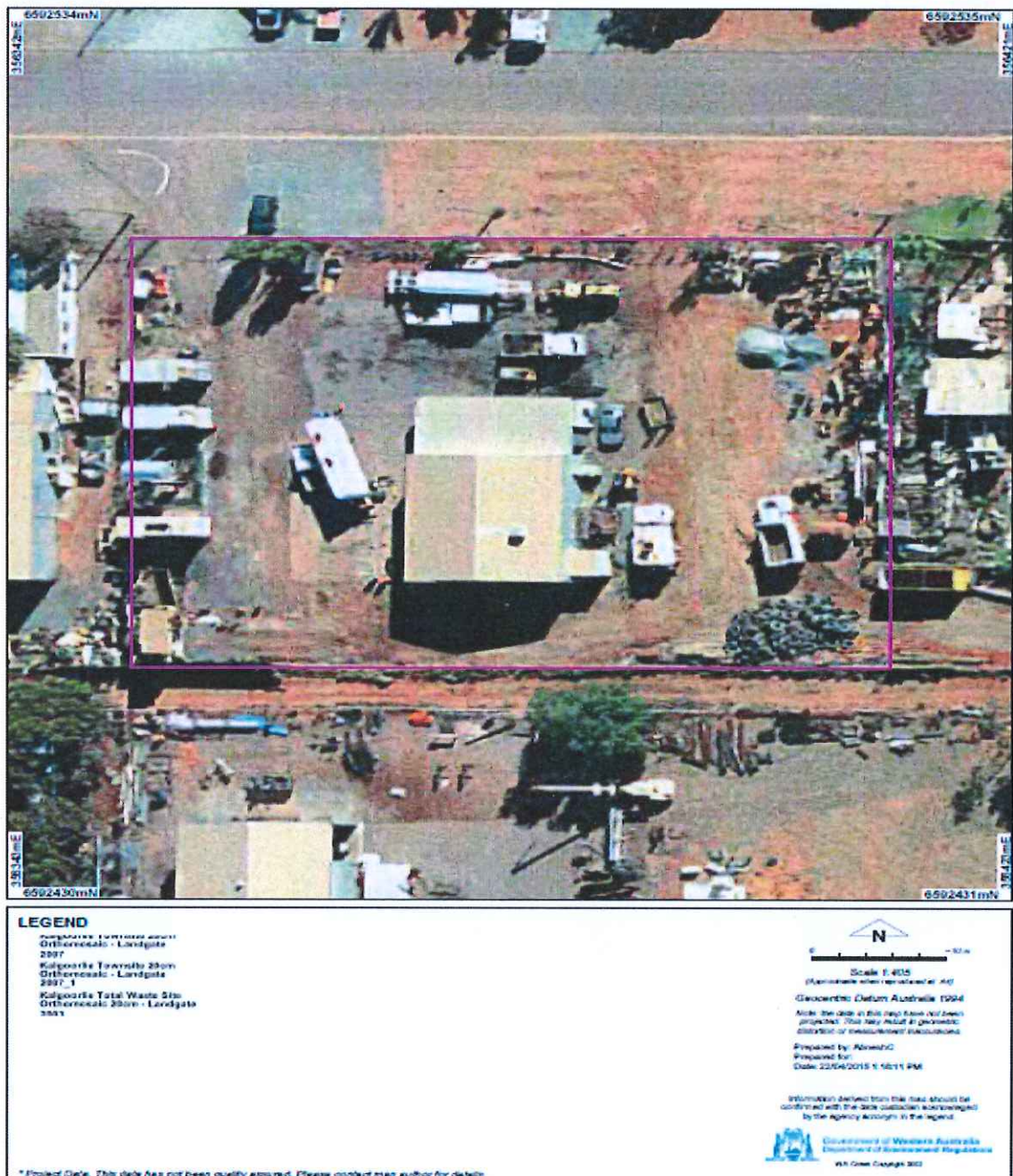
Note 2: Forms are in Schedule 2



## Schedule 1: Maps

### Premises map

The Premises is shown in the map below. The purple 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 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 initialised by the person(s) who signs Section C of this AACR

Initial:



## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

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

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal) \_\_\_\_\_



Licence: L7433/2000/8  
Form: N1

Licensee: Miles Contracting Services Pty Ltd  
Date of breach:

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

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

**Part A**

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

**Notification requirements for the breach of a limit**

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

**Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution**

Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident	



## Part B

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

Name	
Post	
Signature on behalf of Miles Contracting Services Pty Ltd	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:**     **Miles Contracting Services Pty Ltd**

**Licence:**        **L7433/2000/8**

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**Registered office:**     41 Brookman Street  
                                 KALGOORLIE WA 6430

**ACN:**                     066 275 509

**Premises address:**     Miles Contracting Services Pty Ltd  
                                 Lot 1927 on Plan 188582  
                                 20-24 Oroya Street  
                                 BOULDER WA 6432

**Issue date:**             Thursday, 21 May 2015

**Commencement date:** Friday, 22 May 2015

**Expiry date:**            Wednesday, 21 May 2025

### **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:

Rebecca Kelly  
Manager Licensing (Waste Industries)



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## 1 Purpose of this document

This decision document explains how DER has assessed and determined the application for a works approval or licence, 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 inclusions of any optional standard conditions are 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.



## Administrative summary

Administrative details		
Application type	Works approval <input type="checkbox"/> New licence <input checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number 57	Assessed design capacity No more than 700 tyres at any one time
Application verified	Date: 06 March 2015	
Application fee paid	Date: 13 March 2015	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, e.g. Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.		



## Executive summary of proposal

Miles Contracting Services (MCS) is located at Lot 1927 on Plan 188582, 20 – 24 Oroya Street in Boulder, Western Australia. MCS stores tyres of different sizes. No more than 700 tyres can be stored on site at any one time. Used tyres are delivered to the premises via trucks which are authorised Controlled Waste Carriers and transferred to the storage area at the premises. The tyres are stored outside and within a hardstand bunded area. Within three weeks of delivery to the premises, stored tyres are cut up with a demolition shear and transported the same day to Yarri Road Refuse Facility for disposal. Yarri Road Refuse Facility is a licenced landfill that is authorised to accept tyres.

Stored tyres create the potential for a number of emissions such as air emissions if the tyres catch fire and stormwater emissions if fire water is discharged to the environment. MCS therefore has an effective contingency plan for containment of liquid waste that may be produced from a tyre fire on the premises. This containment infrastructure includes, but is not limited to, a compacted roadbase floor and bund to contain the contaminated fire water. The contingency plan, which was developed by an experienced emergency services trainer in 2004 is regularly updated and the plan was last reviewed at an audit carried out by the Department of Environment Regulation's Controlled Waste team in December 2014.

MCS is located in a light industrial area adjacent to a mine waste rock dump and the closest sensitive receptors from the premises are 600m to the north west. This meets the buffer distance of 100-200m as outlined in the EPA Guidance for the Assessment of Environmental Factors Separation Distances between Industrial and Sensitive Land Uses No.3 June 2005. The emissions of significance are general emissions to stormwater and premises operation tyre fires. The closest ephemeral creek line is 1km to the south west.

This Licence is the successor to licence L7433/2000/7 and during the new licence issue process the licence has been converted into the REFIRE format. This Decision Document has been developed that assesses in detail potential risks associated with the Premises. The Licence will be reissued for a period of 10 years.



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.5	OSC	<p><u>Emission Description</u></p> <p><i>Emission:</i> Contaminated stormwater that comes into contact with tyres.</p> <p><i>Impact:</i> Potential contamination of surrounding land and surface water. Potential impacts on ecology of surface water from the addition of hydrocarbons, metals and heavy metals.</p> <p><i>Controls:</i> Maximum of 700 tyres will be stored at any one time in a designated area and tyre windrows will have specific sizes and separation buffers. Used tyres from the premises (classed as Inert waste type 2) are stacked prior to being cut up with a demolition shear within a hardstand bunded fire catchment area. Once cut, the tyres are transported the same day to Yarri Road Refuse Facility for disposal.</p> <p><u>Risk Assessment</u></p> <p><i>Consequence:</i> Moderate</p> <p><i>Likelihood:</i> Possible</p> <p><i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u></p> <p>OSC 1.2.5 has been included to minimise the risk of stormwater becoming contaminated on the premises and to ensure contaminated or potentially contaminated stormwater is treated prior to being discharged from the premises.</p> <p><u>Residual Risk</u></p> <p><i>Consequence:</i> Moderate</p> <p><i>Likelihood:</i> Unlikely</p> <p><i>Risk Rating:</i> Moderate</p>	<p>Application supporting documentation.</p> <p>General provisions of the <i>Environmental Protection Act 1986</i>.</p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</p>



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p><u>Emission Description</u></p> <p><i>Emission:</i> Air emissions, including VOCs, NOx, SOx and dioxins associated with the abnormal event of tyres catch fire at the Premises.</p> <p><i>Impact:</i> Air quality will diminish at a localised level for the duration of the fire. This may cause health concerns for people in the vicinity and may require short-term evacuation. The nearest residential receptor is 600m away, which will reduce the risk of exposure.</p> <p><i>Controls:</i> Number of tyres stored at the Premises will be less than 700 and stockpiles will be managed to ensure appropriate sizes and separation distances to prevent the risk for fire spreading between the stockpiles.</p> <p><u>Risk Assessment</u></p> <p><i>Consequence:</i> Moderate</p> <p><i>Likelihood:</i> Unlikely</p> <p><i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u></p> <p>OSC 1.3.7 has been added to the Licence which requires that the licensee shall without any undue delay following the extinguishing of a fire, ensure that fire water is removed from the Premises by a carrier licensed under the Environmental Protection (Controlled Waste) Regulations 2004.</p> <p>Previous Licence condition G3 required that the licensee ensure their Emergency Preparedness Plan remains current to suit the activities of the business has been converted to L1.3.5.</p> <p>OSC 1.3.6 states that the licensee shall ensure that no tyres are</p>	



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p>burnt at the Premises, and that adequate fire prevention equipment is available at the Premises at all times for the management of any unauthorised fires.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Emission Description</u></p> <p><i>Emission:</i> Stormwater contaminated with firewater that may be produced from a tyre fire on the premises during abnormal / emergency situations. This will include foams and melted tyre material (hydrocarbons, heavy metals etc) percolating through the compacted roadbase lining.</p> <p><i>Impact:</i> Contamination of surrounding land and surface water drainage system from the addition of parameters such as hydrocarbons, metals, heavy metals and detergents. Depth to groundwater in the region is estimated to be greater than 15-20m below ground level and water quality is hypersaline (~35,000mg/L). With control measures, the risk to the environment is considered to be acceptable.</p> <p><i>Controls:</i> No tyres are burnt on the premises. The operation is conducted on a compacted roadbase with bunding. If a fire occurs, all firewater produced on the premises reports to a bunded area which has been designed to capture the firewater to prevent it from entering the environment. The proponent will not store firewater on the premises after a fire has occurred. The proponent has an Emergency Preparedness Plan which ensures fires and firewater are managed to prevent firewater entering the environment.</p>	



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls</u> OSC 1.3.9 has been added to the Licence which requires that the licensee shall without any undue delay following the extinguishing of a fire, ensure that fire water is removed from the Premises by a carrier licensed under the <i>Environmental Protection (Controlled Waste) Regulations 2004</i>.</p> <p>Previous Licence condition G3 required that the licensee ensure their Emergency Preparedness Plan remains current to suit the activities of the business has been converted to L1.3.5.</p> <p>OSC 1.3.6 states that the licensee shall ensure that no tyres are burnt at the Premises, and that adequate fire prevention equipment is available at the Premises at all times for the management of any unauthorised fires.</p>	
Premises operation	L1.3.1 - 1.3.9	OSC	<p>Previous Licence condition G2 required that the licensee ensure that used whole tyres stored at the premises shall be limited to no more than 700 tyres has been converted to L1.3.1.</p> <p>OSC L1.3.2 will be added to the Licence that defines the management of waste not permitted for acceptance at the premises.</p> <p>OSC L1.3.3 will be added to the Licence that defines how the tyres should be processed at the premises.</p>	<p>General provisions of the <i>Environmental Protection Act, 1986</i>.</p> <p><i>Environmental Protection (Controlled Waste) Regulations 2004</i>.</p> <p>L7433/2000/7</p>



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			<p>OSC L1.3.4 will be added to the Licence that defines security measures required at the premises.</p> <p>OSC L1.3.5 will be added to the Licence to ensure the Emergency Preparedness Plan remains current to suit the activities of the business while L1.3.6 to L1.3.8 stipulates that no tyres are to be burnt on the premises, and management of fires should these eventuate.</p> <p>Previous Licence condition G5 required that the licensee shall make available to any person, tyres for recycling, reuse of any other purpose approved of by the Director (which are surplus to the licensee's own requirements), prior to disposal has been removed on the basis the stipulation of the management of tyres is articulated in Part 6 of the <i>Environmental Protection Regulations 1987</i>.</p> <p>Previous Licence condition G6 required that the licensee supply to any party who requests that tyres be made available, a letter advising them under what terms and conditions they are available and the licensee shall retain a copy of such letters. Section 5.1 outlines record keeping requirements.</p> <p>Previous Licence condition A1(b) required that the licensee shall ensure the cutting area shall be hard standing to prevent the generation of dust from tyre cutting activities. L2.6.1 has been included in the licence to manage dust.</p> <p>Previous Licence condition S1 required that the licensee shall ensure that used down sized tyres and waste shall only be disposed of to waste disposal site licensed under Part V of the</p>	



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
			Environmental Protection Act 1986 or to a site approved by the Chief Executive Officer or delegated officer. This requirement is incorporated in L1.3.2.	
Emissions General	L2.1.1	N/A	<b>Operation</b> There are no specified conditions relating to emissions in this section.	N/A
Point source emissions to air including monitoring	L2.2	N/A	<b>Operation</b> There are no point source air emissions at MCS. No specific conditions relating to point source air emissions or monitoring are therefore required on the Licence.	N/A
Point source emissions to surface water	L2.3	N/A	<b>Operation</b> There are no point source emissions to surface water at MCS. No specific conditions relating to point source emissions to surface water or monitoring are therefore required on the Licence.	N/A
Point source emissions to groundwater including monitoring	L2.4	N/A	<b>Operation</b> There are no point source emissions to ground water at MCS. No specific conditions relating to point source emissions to ground water or monitoring are therefore required on the Licence.	N/A
Emissions to land including monitoring	L2.5	NA	<b>Operation</b> There are no point source emission to land at MCS. No specific conditions relating to point source emissions to land or monitoring are therefore required on the Licence.	N/A
Fugitive Emissions	L2.6.1	OSC	<b>Operation</b> Previous licence condition A1(a) required management of dust at the premises and has been converted to condition L2.6.1.	General provisions of the <i>Environmental Protection Act 1986</i> .



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
				L7433/2000/7
Odour	L2.7	NA	<b>Operation</b> There are no odour conditions on the licence for MCS.	N/A
Noise	L2.8	NA	<b>Operation</b> There are no sensitive receptors within the immediate area and the licensee has a statutory responsibility to comply with the <i>Environmental Protection (Noise) Regulations 1997</i> therefore no specific conditions relating to noise have been included on the Licence.	General provisions of the <i>Environmental Protection Act 1986</i> .  <i>Environmental Protection (Noise) Regulations 1997</i>
Monitoring General	L3.1	NA	<b>Operation</b> There will be no general monitoring conditions on the licence.	N/A
Monitoring of inputs and outputs	L3.6.1	OSC	<b>Operation</b> MCS are required to monitor inputs and outputs to ensure they comply with waste acceptance limits. Condition 3.6.1 has been added to the licence.	General provisions of the <i>Environmental Protection Act 1986</i> .
Process Monitoring	L3.7	OSC	<b>Operation</b> There will be no process monitoring condition on the licence.	N/A
Ambient environmental quality monitoring	L3.8	N/A	<b>Operation</b> There will be no ambient environmental quality monitoring condition on the licence.	N/A



DECISION TABLE				
Licence section	Condition number L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Meteorological monitoring	L3.8	N/A	<b>Operation</b> There will be no meteorological monitoring condition on the licence.	N/A
Improvements	L4.0	N/A	<b>Operation</b> There will be no improvement condition on the licence.	N/A
Information	L5.1.1 – 5.1.4 L5.2.1 & L5.3.1	N/A	<p>L5.1.1 – 5.1.4 are standard conditions relating to record keeping, completing an Annual Audit Compliance Report and implementing a complaints management system requirements. L5.2.1 outlines the requirement to submit to DER an annual environmental report and annual audit compliance report detailing compliance with acceptance of waste types, waste inputs and outputs, complaints summary information and 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.</p> <p>L5.3.1 requires MCS to notify DER should any incident or malfunction occur on the premises that have the potential to cause pollution or should an unauthorised fire occur on the premises. MCS will also be required to notify DER of any action, malfunction or emergency which could result in the discharge of firewater from the premises or emission or deposit of waste not permitted by this licence.</p> <p>Previous licence condition G1 required and annual audit compliance report and has been converted to condition L5.1.3</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i>.</p> <p>L7433/2000/7</p>
Licence Duration	N/A	N/A	This Licence is the successor to licence L7433/2000/7 and during the new licence issue process the licence has been converted into the REFIRE format. The Licence will be reissued for a period of 10 years on the basis the scale of the operation and the management procedures in place at the site. The licence conditions will minimise the risk to the environment.	N/A



## 5. Advertisement and consultation table

Date	Event	Comments received/notes	How comments were taken into consideration
23/03/2015	Application advertised in West Australian (or other relevant newspaper)	No comments received	N/A
15/05/2015	Proponent sent a copy of draft instrument	No comments were received	N/A
20/05/2015	Consultation comments received from the City of Kalgoorlie Boulder (CKB).	Verbal confirmation from Millen Natho, planning officer for CKB that they had no issue with MCS being granted a licence for a duration beyond 5 years.	10 year licence will be issued to Miles Contracting Tyre Services Pty Ltd.
19/05/2015	The Department of Fire and Emergency Services	Verbal confirmation from Joe Jarvis (Kalgoorlie Fire Station- D Platoon) that he had no issue with MCS being granted a licence for a duration beyond 5 years .	10 year licence will be issued to Miles Contracting Tyre Services Pty Ltd.



## 6 Emissions and discharges risk assessment framework

*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