



Tambo Nominees Pty Ltd
Ms Beth Gooch – Manager
68 Albany Hwy
BEDFORDALE WA 6112

Dear Ms Gooch,

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises

Tyre Storage & Recycling WA
9000 Watergarrup Road Lot 9000 on Plan 62448 Wansborough, Broomehill-Tambellup
Licence Number: L8273/2008/2

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

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

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

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

If you have any queries regarding the above information, please contact Lesley Hart on (08) 98 424 553.

Yours sincerely

Ruth Dowd
Officer delegated under section 20
of the *Environmental Protection Act 1986*

Thursday 26 June 2014



Licence

Environmental Protection Act 1986, Part V

Licensee: Tambo Nominees Pty Ltd

Licence: L8273/2008/2

Registered office: 68 Albany Highway
BEDFORDALE WA 6112

ACN: 008 838 506

Premises address: Tyre Storage & Recovery WA
9000 Watergarrup Road
WANSBROUGH WA 6320
Being Lot 9000 on Plan 62448 as depicted in Schedule 1.

Issue date: Thursday, 26 June 2014

Commencement date: Wednesday, 02 July 2014

Expiry date: Sunday, 01 July 2018

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
63	Class I inert landfill site: premises on which waste (as determined by reference to the waste types set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)" published by the CEO and as amended from time to time) is accepted for burial.	500 tonnes or more per year	5 000 tonnes per annual period

Conditions

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

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



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

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

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

Licence requirements

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

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

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

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

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.



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

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

Licence fees

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

Ministerial conditions

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

Premises description and Licence summary

The Premises is located approximately 6 kilometres south west of Tambellup town. The Premises covers an area of approximately 229 hectares of which 6 hectares is used for the disposal of baled tyres and mine site rubber waste.

The activity follows the excavation of sand to a maximum depth of six metres which is backfilled with the burial of baled tyres and mine site rubber wastes. The facility has a designed holding capacity of approximately 6,000,000 tyres.

The site is located on agricultural land bordering the Gordon River, and is part of a farming property used for grazing and cropping. The nearest sensitive receptor is a residential property and is located approximately 500 metres from the Premises.

The main potential emissions from the site are fugitive emissions in the form of dust.

This Licence is the successor to licence L8273/2008/1 and has been converted into the REFIRE format.

The licence issued for the Premises since 02/07/2009 is:

Instrument log		
Instrument	Issued	Description
L8273/2008/1	2/07/2009	New application
	3/06/2010	Licence amendment
	22/09/2011	Licence amendment
	24/11/2011	Transfer of Licence from S.T.E.G Pty Ltd to STEG Waste Management Pty Ltd
	9/08/2012	Transfer of Licence from STEG Waste Management Pty Ltd to Tambo Nominees Pty Ltd
L8273/2008/2	26/06/2014	Licence re-issue – 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*;

'Acceptance Criteria' has the meaning defined in Landfill Definitions;

'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 (South Coast)
Department of Environment Regulation
120 Albany Hwy
ALBANY WA 6330
Telephone: (08) 9842 4567
Facsimile: (08) 9841 7105
Email: Industryregsalbany@der.wa.gov.au;

'Clean Fill' has the meaning defined in Landfill Definitions;

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

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

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

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'fugitive emissions' means all emissions not arising from point sources;

'kN' means kilo Newton, an International System (SI) unit of force equal to 10^3 Newton;

'Inert Waste Type 2' has the meaning defined in Landfill Definitions;



'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 L8273/2008/1 and issued under the *Environmental Protection Act 1986*;

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

'mine site rubber wastes' means mine site heavy vehicle rubber tyres, rubber conveyor belts and heavy machinery rubber tracks;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'quarantined storage area or container' means a hardstand storage area or sealed-bottom container that is separate and isolated from authorised waste disposal areas and is capable of containing all non-conforming waste and its constituents, these areas must be clearly marked and their access restricted to authorised personnel;

'rehabilitation' means the completion of the engineering of a landfill cell and includes capping and/or final cover;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

'surface water body' means any watercourse or natural collection of water, whether permanent or temporary, on the surface of any land;

'tyre bale' means a tightly pressed bundle of 100 tyres which:

- (a) weighs no more than 1 tonne;
- (b) has a density of at least 500kg/m³;
- (c) has a maximum dimension of 1.27m x 1.53m x 0.77m; and
- (d) is secured by strapping that:
 - (i) consists of galvanised high tensile steel wire with a minimum breaking load of 4.8 kN; and
 - (ii) is held in place by means capable of taking a minimum load;

'usual working day' means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the current version of the guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.2 General conditions

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.



- 1.2.2 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
- 1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the Code of Practice for the Storage and handling of dangerous goods.
- 1.2.4 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.5 The Licensee shall:
 - (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note1: The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

1.3 Premises operation

- 1.3.1 The Licensee shall only accept waste on to 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

Waste type	Quantity limit tonnes/ annual period	Specification¹
Inert Waste Type 2	5000	Tyres and mine site rubber wastes

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) 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 quarantined 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 process(es) set out in Table 1.3.2 and in accordance with any process limits described in that Table.



Table 1.3.2: Waste processing		
Waste type	Process(es)	Process limits ^{1, 2}
Inert Waste Type 2	Receipt, handling, associated storage and disposal of waste by landfilling	<ul style="list-style-type: none"> Disposal of waste by landfilling shall only take place within the landfill area shown on the Landfill Area Map in Schedule 1. No waste shall be temporarily stored or landfilled within 25 metres from the boundary of the premises. The separation distance between the base of the landfill and the highest groundwater level shall not be less than 2m. Maintain a minimum distance of at least 100m between the disposal site and any surface water body. Less than 100 tyres may be stored in piles in the waste acceptance area and with a 6m separation distance between piles and located a minimum of 6m from any wall, building or fence. Tyres may be stored for a maximum of 7 days prior to burial. Waste shall be buried at the premises such that tyre bales and mine site rubber wastes are separated from each other by at least 500mm of cover material.

Note 1: Requirements for landfilling tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

Note 2: Additional requirements for the acceptance and landfilling of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

- 1.3.4 The Licensee shall manage the landfilling activities to ensure:
- waste is placed to ensure all faces are stable and capable of retaining rehabilitation material; and
 - rehabilitation of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed.

- 1.3.5 The Licensee shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.3.3 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.3.3: Cover requirements			
Waste Type	Material	Depth	Timescales
Inert Waste Type 2	Soil	100mm	Within 24 hours of the waste being deposited.
		1000mm	Final cover when required.

- 1.3.6 The Licensee shall implement the following security measures at the site:
- maintain suitable fencing to prevent unauthorised vehicle access to the site; and
 - ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
 - undertake regular inspections of all security measures and repair damage as soon as practicable.



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 these sections.

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.

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

2.7-2.8 Odour and Noise

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



3 Monitoring

3.1 General monitoring

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

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

There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in these sections.

3.5 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
Waste Inputs	Inert Waste Type 2	m ³ and estimated tonnage	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Definitions			Each load leaving or rejected from the Premises

3.7 Process monitoring

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

3.8-3.9 Ambient environmental quality and meteorological monitoring

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



4 Improvements

There are no specified improvement conditions in this section.

5 Information

5.1 Records

- 5.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
 - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

- 5.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

- 5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

- 5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

5.2 Reporting

- 5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 62 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

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

Note 1: Forms are in Schedule 2



5.3 Notification

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

Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
2.1.1	Breach of any limit specified in the Licence	Part A: 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	Part B: As soon as practicable	

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

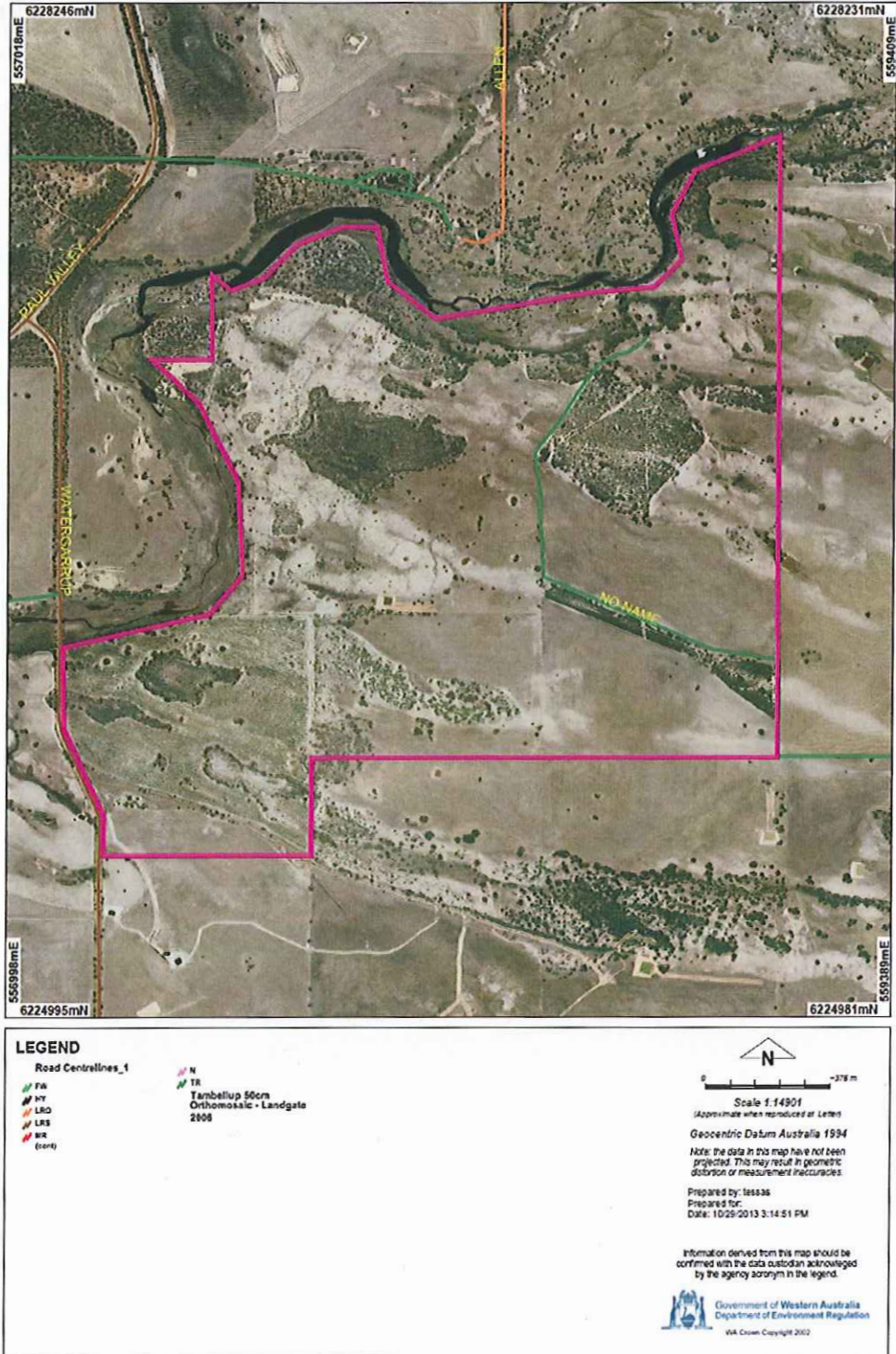
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

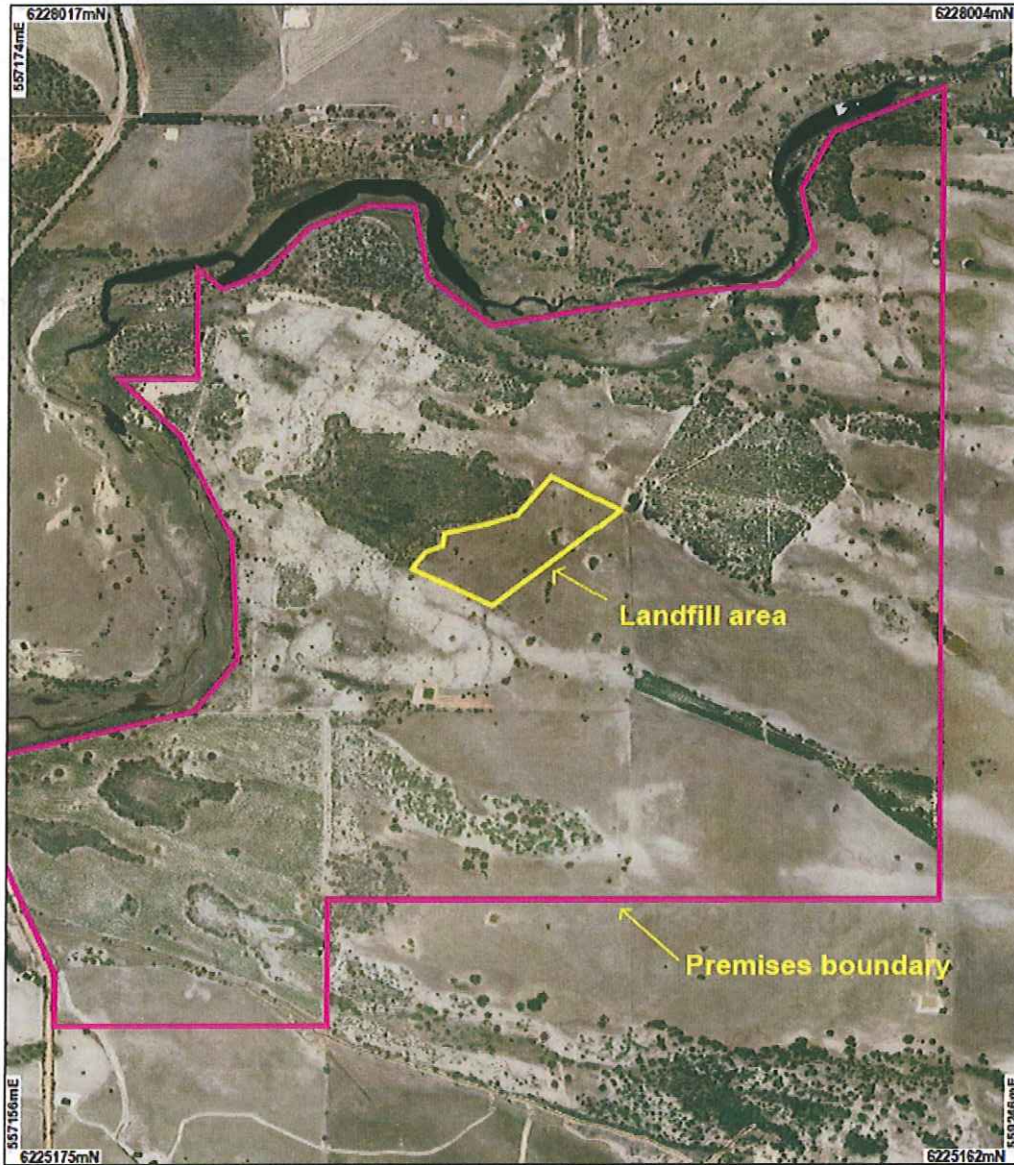
The Premise is shown in the map below. The pink line depicts the Premises boundary.





Landfill Area Map

The area in which the disposal of waste by landfilling may take place is shown in the map below.



LEGEND
Tambellup 50cm
Orthomosaic - Landgate
2006

N

0 ————— 375 m

Scale 1:12027
(Applicable 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: tess us
Prepared for:
Date: 10/20/2013 2:42:46 PM

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.

Government of Western Australia
Department of Environment Regulation
WA Crown Copyright 2012



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.

SECTION A LICENCE DETAILS

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

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

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

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

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

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

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

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

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; 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: ____/____/____



Licence: L8273/2008/2
 Form: N1

Licensee: Tambo Nominees 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 Tambo Nominees Pty Ltd	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Tambo Nominees Pty Ltd

Licence: L8273/2008/2

Registered office: 68 Albany Highway
BEDFORDALE WA 6112

ACN: 008 838 506

Premises address: Tyre Storage & Recovery WA
9000 Watergarrup Road
WANSBROUGH WA 6320
Being Lot 9000 on Plan 62448 as depicted in Schedule 1.

Issue date: Thursday, 26 June 2014

Commencement date: Wednesday, 02 July 2014

Expiry date: Sunday, 01 July 2018

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: Lesley Hart
Licensing Officer

Decision Document authorised by: Caron Goodbourn
Manager Licensing



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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 inclusion of any optional standard conditions is justified in Section 4 of this document.

Non standard conditions (NSC)

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



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	New Licence <input checked="" type="checkbox"/>
	Licence amendment <input type="checkbox"/>	Works Approval amendment <input type="checkbox"/>
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	63	5 000 tonnes per annual period
Application verified	Date: 28/03/2014	
Application fee paid	Date: 16/04/2014	
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, eg Site is subject to SO ₂ requirements of Kwinana EPP.		



3 Executive summary of proposal

The Premises is located approximately 6 kilometres south west of Tambellup townsite. The Premises covers an area of approximately 229 hectares of which 6 hectares is used for the disposal of baled tyres and mine site rubber waste.

The activity follows the excavation of sand to a maximum depth of six metres which is backfilled with the burial of baled tyres and mine site rubber wastes. The facility has a designed holding capacity of approximately 6,000,000 tyres. The current approved production capacity is 5 000 tonnes per annual period.

The site is located on agricultural land bordering the Gordon River, and is part of a farming property used for grazing and cropping. The Gordon River lies just outside of the entire northern border of the Premises with the closest section of the river to the landfill area being approximately 300 metres away. The nearest sensitive receptors are two rural residential properties located approximately 500 metres and 750 metres from the Premises. The typical soil profile of the site is grey brown sand over deep yellow sand. There are no bores on the site. However 10km south of the Premises the water table (understood to be a perched watertable) is known to be 10 metres below ground level.

The use of the inert landfill for tyre and waste rubber disposal is linked to a local government approved sand extraction activity approved by the Shire of Broomehill-Tambellup on 29 November 2007.

The Premises were transferred to Tambo Nominees Pty Ltd, trading as Tyre Storage and Recovery WA, following their purchase of the former STEG Waste Management Pty Ltd site in late June 2012. Minor changes have been made to the original Environmental Assessment Report in preparing this Decision Document for the Premises, mainly based on the change of operator.

The main potential emissions from the site are fugitive emissions in the form of dust.

This Licence is the successor to licence L8273/2008/1 and has been converted into the REFIRE format. Since the current planning consent for the Premises given by the Shire of Tambellup is due to expire on 31 July 2018, the reissue licence has been issued for a period of 4 years.

Emission Significance - 1

Socio-political context - No concern or interest.

Risk Assessment – E – other management mechanisms

The optional standard licence conditions for stormwater management have been added to the licence. The inert landfill operations at this Premises involve the excavation of a cell to a maximum of 6 metres depth, which subsequently has compacted and baled used tyres or mine site waste rubber placed into the cell and covered with soil fill that has been previously excavated from the site and stockpiled nearby. Waste is placed in the cell using a back-fill technique, filling the cell to a maximum waste height of 1 metre below the surface, before the final fill cover is added.

Given the inert nature of the rubber products being disposed of and the method of applying fill cover after waste placement, it is considered highly unlikely that stormwater could become contaminated from the inert landfill operations at the site.

A standard set of optional Premises operation conditions that apply to inert landfills have been set in the licence to ensure that only the specific type of waste identified in the Licence shall be accepted and within the tonnage limit set by the licence. Standard waste

the *Environmental Protection Act 1986*

Application supporting documentation

Code of Practice for the Storage and Handling of Dangerous Goods, Department of Mines and Petroleum, Government of Western Australia

Environmental Protection (Controlled Waste) Regulations 2004

Landfill Waste Classification and Waste Definitions 1996 (as amended)

	The operator has indicated that it is unlikely that any tyres or mine site waste rubber would need to be temporarily stored prior to burial and cover with soil fill. However, the waste processing conditions (L1.3.3) allow for this possibility under the defined process limits.	
OSC	Descriptive limits will be set through condition 2.6.2 of the licence and therefore OSC regarding recording and investigation of exceedances of limits or targets has been included.	N/A
N/A	<p>Operation</p> <p><i>Emission Significance - 1</i></p> <p><i>Socio-political context - No concern or interest.</i></p> <p><i>Risk Assessment – E – other management mechanisms</i></p> <p>No significant point source air, surface water or groundwater emissions are expected from the operation of the inert landfill with the only materials being buried at the landfill being baled tyres or mine site rubber wastes. The nearest surface water body is the Gordon River which lies approximately 300 metres north east of the north eastern edge of the defined landfill area, meeting the minimum buffer distance to surface water requirement of condition 1.3.3 of at least 100 metres.</p>	<p><i>Environmental Protection (Unauthorised Discharges) Regulations, 2004.</i></p> <p>Application supporting documentation</p>

	No specified conditions relating to point source emissions to air, surface water or groundwater, or the monitoring of these emissions are therefore required to be added to the licence.	
N/A	<p>Operation <i>Emission Significance - 1</i> <i>Socio-political context - No concern or interest.</i> <i>Risk Assessment – E – other management mechanisms</i></p> <p>There are no emissions to land expected from the operation of the inert landfill and therefore no specific conditions relating to point source emissions to land or the monitoring of these emissions are required to be added to the licence.</p>	
OSC	<p>Operation <i>Emission Significance - 2</i> <i>Socio-political context - Low</i> <i>Risk Assessment – D – other management mechanisms/licence conditions</i></p> <p>Sources of dust from operations include topsoil disturbance during removal and replacement and machinery movements including</p>	

Vehical and machinery movements are also likely to create fugitive dust during loading and unloading operations. Operational practices to minimise dust during these periods include:

- Maintaining haul road and hardstand areas in good condition
- Maintaining road trucks in a clean condition
- Complaints management system to respond to any complaints
- Restricted operating times

The risk of dust emissions due to operations posing a significant environmental risk is considered to be low. The optional standard fugitive emissions conditions to minimise dust emissions and ensure that no visible dust generated by the activities crosses the boundary of the Premises have been added to the Licence to ensure adequate dust emissions management.

specific conditions relating to odour emissions or the monitoring of these emissions are required to be added to the licence.

Operation

Emission Significance - 1

Socio-political context - No concern or interest.

Risk Assessment – E– other management mechanisms

The risk of noise emissions from the facility is most likely to be associated with vehicular movement. Standard noise management practices adopted at the facility are considered likely to result in adequate management of noise from these sources.

Nuisance noise has the potential to impact on neighbours. The landfill area however, is located approximately 500m and 750m from the nearest two rural residences, meeting the required buffer to sensitive residential receptors.

Noise emissions are considered not likely to be an issue and adequately managed under the requirements of the *Environmental Protection (Noise) Regulations 1997*. Therefore an OSC on noise emissions has not been included in the licence.

Environmental Protection (Noise) Regulations 1997

Environmental Protection Authority (EPA) (2005) *Separation distances between industrial and sensitive land uses* Draft Guidance Statement No. 3

	and recorded against the upper limit of waste acceptance for the annual period.	
N/A	There are no specific conditions relating to monitoring in this section.	
N/A	There are no specific conditions relating to ambient environmental or meteorological monitoring in this section.	
N/A	There is no requirement to set any improvement conditions in this licence.	
OSC	Standard notification requirements have been added to the licence in the event that there is a breach of any limit specified in the licence.	

copy of draft	No comments received	N/A
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6. Emissions and discharges risk assessment framework

Note: These matrix are taken from the DEC Officer's Guide to Emissions and Discharges Risk Assessment (2006).

Table 3: Measures of Significance of Emissions

Emissions as a percentage of the relevant emission or ambient standard		Worst Case Operating Conditions (95 th Percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal Operating Conditions (50 th Percentile)	>100%	5	N/A	N/A	N/A
	50 – 100%	4	3	N/A	N/A
	20 – 50%	4	3	2	N/A
	<20%*	3	3	2	1

*For reliable technology, this figure could increase to 30%

Table 4: Socio-Political Context of Each Regulated Emission

		Relative proximity of the interested party with regards to the emission				
		Immediately Adjacent	Adjacent	Nearby	Distant	Isolated
Level of Community Interest or Concern*	5	High	High	Medium High	Medium	Low
	4	High	High	Medium High	Medium	Low
	3	Medium High	Medium High	Medium	Low	No
	2	Low	Low	Low	Low	No
	1	No	No	No	No	No

Note: These examples are not exclusive and professional judgement is needed to evaluate each specific case

*This is determined by DER using the *Officer's Guide to Emissions and Discharges Risk Assessment* (2006).

Table 5: Emissions Risk Reduction Matrix

		Significance of Emissions				
		5	4	3	2	1
Socio-Political Context	High	A	A	B	C	D
	Medium High	A	A	B	C	D
	Medium	A	B	B	D	E
	Low	A	B	C	D	E
	No	B	C	D	E	E

PRIORITY MATRIX ACTION DESCRIPTORS

A = Do not allow (fix)

B = licence condition (setting limits + EMPs - short timeframes)(setting targets optional)

C = licence condition (setting targets + EMPs - longer timeframes)

D= EIPs, other management mechanisms/licence conditions (monitoring/reporting)/other regulatory tools

E = No regulation, other management mechanisms