



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee: McMahon Services Australia Pty Ltd**

**Licence: L8985/2016/1**

**Registered office:** 26 Duncan Road,  
 DRY CREEK SA 5094

**ACN:** 097 072 565

**Premises address:** Gap Ridge Metal Recycling and Asbestos Storage Facility  
 Lot 104 Exploration Drive  
 GAP RIDGE WA 6714  
 Being Lot 104 on Plan 71037  
 As depicted in Schedule 1.

**Granted:** Monday, 24 October 2016

**Commencement date:** Monday, 31 October 2016

**Expiry date:** Thursday, 30 October 2036

**Prescribed premises category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
61A	Solid waste facility: premises (other than premises within Category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto lands	1 000 tonnes or more per year	100 000 tonnes per annual period

**Conditions**

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

Date signed: 24 October 2016

.....  
 Alan Kietzmann  
 MANAGER LICENSING (WASTE INDUSTRIES)  
 Officer delegated under section 20  
 of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

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

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

### Licence requirements

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

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

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

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

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

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



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

#### **Licence fees**

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

#### **Ministerial conditions**

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

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

McMahon Services Australia Pty Ltd (McMahon's) operates a metal recycling operation at its facility located at Lot 104 Exploration Drive, Gap Ridge. The facility receives scrap metal, both ferrous and non-ferrous, from a range of sources covering a large geographical area. The scrap metal is sorted and stockpiled prior to being processed for subsequent transport to numerous smelters and foundries both in Australia and across South East Asia.

Scrap metal processing at the facility involves cutting the metal into smaller manageable pieces to aid in transport by using a mixture of mechanical shearing and hot cutting such as oxyacetylene or lancing. Processed scrap metal is then either placed into containers or bins ready for transport. Scrap metal is also baled in some circumstances as part of the packing processing, as well as being a requirement of the Cyclone Management Plan. Scrap metal processing at the facility does not include shredding or use of a fragmenter. Other than this, the scrap metal facility undertakes industry standard activities.

McMahon's also intends to store and process asbestos material onsite. The asbestos delivered to the premises will be in the form of coating on concrete pipes. It is McMahon's intention to remove asbestos coating from the concrete pipes. Removal of asbestos will be conducted in an enclosed 'bubble' (i.e. 2 – 4 sea containers with plastic sheeting over the top and outside forming roof/sides) which is located on a concrete pad. The bubble operates under negative pressure to prevent dust and air-borne asbestos fibres escaping. The pipes will be cleaned and tested at a NATA accredited laboratory before being removed from the bubble to ensure the product is asbestos free. At the end of the removal campaign the concrete pad is cleaned, washed coated with polyvinyl alcohol (PVA) and tested for asbestos.

Asbestos will be handled in accordance with WA guidelines and standard industry practices. Typically the asbestos material will be stored in either HDPE lined skip bins, sealed drums or shipping containers. Storage is undertaken prior to the material being transported to appropriately licensed facilities. McMahon's will not accept friable asbestos materials for storage or processing.

The Licence application was referred to the Department of Health (DoH) for comment on the asbestos processing activities, as occupational health is beyond DER's regulatory scope. *DoH outlined that approval under the Health (Asbestos) Regulations 1992 was not required for McMahon's intended activities.*

The main emissions from the premises is the release of air-borne asbestos from storage and handling of asbestos containing material on the premises..

This Licence is for the operation of an existing facility. Due to DER's previous position on the licensing of scrap yards, the premises was not historically considered a prescribed premises and as such licences or works approvals were not obtained historically. As no construction works are



proposed as part of this proposal, the Delegated Officer considers it appropriate that the premises is licensed as per the proponents application. The licences and works approvals issued for the Premises are:

Instrument log		
Instrument	Granted	Description
L8985/2016/1	24/10/2016	First Licence issued for the operation of the premises.

### 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;

**'ACM' or 'Asbestos Containing Material'** means material;

(a) which contains 0.001% or more of asbestos fibres weight/weight;

(b) in which fibrous material is able to be detected by stereoscopic light microscopy at a magnification of not less than 10 times and not greater than 40 times;

and

(c) in which the fibrous material is able to be identified as asbestos by polarised light microscopy at a magnification of not greater than 400 times or by a method approved by the Executive Director, Public Health under the *Health Act 1911*.

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

**'Annual Audit Compliance Report'** means a report in a format approved by the CEO as presented by the Licensee or as specified by the CEO from time to time and published on the Department's website;

**'annual period'** means a 12 month period commencing from 1 July to 30 June in the following year;

**'ARI'** means Average Recurrence Interval;

**'AS7964 – 2004'** means the current version of Australian Standard AS7964 – 2004 *Method for the qualitative identification of asbestos in bulk samples.*



**'asbestos'** means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysotile, crocidolite, tremolite and any mixture containing 2 or more of those;

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

**'CEO'** for the purpose of correspondence or notification means;

Chief Executive Officer  
Department Div.3 Pt. V EP Act  
Locked Bag 33 Cloisters Square  
Perth WA 6850  
[info@der.wa.gov.au](mailto:info@der.wa.gov.au)

**'classified load'** means any load that has been identified as containing asbestos or ACM;

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

**'construction and demolition waste'** has the meaning defined in Landfill Definitions;

**'Department'** means the department established under s.35 of the Public Sector Management Act and designated as responsible for the administration of Division 3 Part V of the *Environmental Protection Act 1986*.

**'DER Asbestos Guidelines'** means document titled "Guidelines for managing asbestos at construction and demolition waste recycling facilities", published by the Department of Environment and Conservation, as amended from time to time;

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

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

**'Licence'** means this Licence numbered L8985/2016/1 and issued under the Act;

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

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

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

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

**'Special Waste Type 1'** has the meaning defined in Landfill Definitions; and

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

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

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



## 1.2 Premises operation

- 1.2.1 The Licensee shall only accept waste on to the Premises if:
- it is of a type listed in Table 1.3.1; and
  - the quantity accepted is below any quantity limit listed in Table 1.3.1; and
  - it meets any specification listed in Table 1.3.1.

Table 1.2.1: Waste acceptance		
Waste type	Quantity limit	Specification <sup>1</sup>
Scrap metal (ferrous & non-ferrous)	75 000 tonnes per annual period	Waste acceptance is limited to the following: <ul style="list-style-type: none"> <li>Uncompacted car bodies;</li> <li>Crushed or compacted car bodies;</li> <li>Light gauge (mixed) scrap;</li> <li>Heavy gauge steel;</li> <li>Non-ferrous metals; and</li> <li>Batteries.</li> </ul>
Special Waste Type 1	25 000 tonnes per annual period	Waste acceptance is limited to Construction and Demolition Waste

- 1.2.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.2.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.
- 1.2.3 The Licensee shall ensure that any waste that does not conform to the waste acceptance criteria in Table 1.2.1 it is kept within a clearly identified, labelled, segregated and secure container prior to being removed off site to an appropriate authorised facility within 48 hours.
- 1.2.4 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 1.2.2: Waste processing		
Waste type	Process	Process limits
Scrap metal (ferrous & non-ferrous)	Receipt, handling, sorting, baling, shearing, shredding, flame cutting, compacting and storage prior to sale or removal offsite.	<p>Acceptance requirements:</p> <ul style="list-style-type: none"> <li>Inspection of all materials received at the Premises for the removal of non-conforming waste and hazardous waste, including, but not limited to, Liquefied Petroleum Gas, oxygen, acetylene (or any other compressed gas cylinders), chemical, hazardous, flammable or explosive substances. If any of these wastes are found, they are required to be removed before further processing;</li> <li>All items that may have contained gasses must be de-gassed prior to acceptance onto the Premises.</li> </ul> <p>Storage requirements:</p> <ul style="list-style-type: none"> <li>All waste, excluding ferrous metal, to be stored on a hardstand area;</li> <li>Batteries to be stored within an undercover bunded hardstand area; and</li> <li>Stored at least 10 m from the premises boundary unless contained within skip bins.</li> </ul> <p>Processing requirements:</p> <ul style="list-style-type: none"> <li>Sorting of non-ferrous metals to be undertaken on</li> </ul>



Table 1.2.2: Waste processing		
Waste type	Process	Process limits
		a hardstand area; <ul style="list-style-type: none"> <li>Waste hydrocarbons, petrol and other chemicals to be contained in an impermeable container for off-site disposal;</li> <li>Operational areas to be maintained free of accumulated stormwater;</li> <li>Any residues from drums or waste received are to be collected and contained in an impervious sealed tank/container, in a manner that prevents mixing of incompatible wastes, prior to disposal off site to a licenced landfill or appropriate facility.</li> </ul>
Special Waste Type 1		Acceptance requirements <ul style="list-style-type: none"> <li>Separated from other material brought onto the premises;</li> <li>Wrapped or otherwise contained in a manner that prevents asbestos fibres entering the atmosphere whilst on the premises;</li> <li>Clearly labelled or marked with the words "CAUTION ASBESTOS".</li> </ul>

- 1.2.5 The Licensee shall implement the following security measures at the site:
- erect and maintain suitable fencing to prevent unauthorised access to the site;
  - 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.
- 1.2.6 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information:
- hours of operation;
  - contact telephone number;
  - warning indicating penalties for people lighting fires; and
  - list of prohibited materials not accepted at the Premises.
- 1.2.7 The Licensee shall ensure that all onsite fire prevention equipment including, but not limited to the fire hydrant system, fire detection devices, fire sprinkler systems and mobile water truck are maintained on the Premises and are in working order at all times.
- 1.2.8 The Licensee shall within 6 months of the commencement date of the Licence notify the CEO that the fire service system installed at the premises provides coverage for the entire site
- 1.2.9 The Licensee shall ensure asbestos processing activities are confined to construction and demolition waste.
- 1.2.10 The Licensee shall ensure asbestos processing is undertaken in a fully enclosed hardstand area under negative pressure.
- 1.2.11 The Licensee shall ensure that the asbestos content of recycled output or cleaned concrete product originating from construction and demolition waste is analysed by a NATA certified laboratory in accordance with AS7964 – 2004 to contain <0.001%w/w of asbestos prior to removal from the fully enclosed hardstand area specified in condition 1.2.10.
- 1.2.12 The Licensee shall ensure that staff undertaking asbestos processing onsite hold a current Vocational Education and Training certification for the removal of asbestos.



- 1.2.13 The Licensee shall, following each campaign of asbestos material processing and prior to removing the enclosure specified in Condition 1.2.10:
- (a) ensure the surface of the hardstand area specified in Condition 1.2.10 is free of asbestos fibres as analysed by a NATA certified laboratory in accordance with AS7964 – 2004; and
  - (b) completely seal the hardstand specified in Condition 1.2.10 with a solution of at least 1 part Polyvinyl Acetate per 5 parts of water.

## 2 Monitoring

### 2.1 Monitoring of inputs and outputs

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

<b>Table 2.1.1: Monitoring of inputs and outputs</b>				
<b>Input/Output</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging period</b>	<b>Frequency</b>
Waste Inputs	Scrap metal (ferrous and on-ferrous)	Tonnes	N/A	Each load arriving at Premises
Waste Outputs	Waste type as defined in the Landfill Definitions	Tonnes		Each load leaving or rejected from the Premises

## 3 Information

### 3.1 Records

- 3.1.1 All information and records required by the Licence shall:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
  - (c) except for records listed in 3.1.1(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.
- 3.1.2 The Licensee must submit to the CEO within 90 days after the end of the annual period, an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the Conditions in this Licence for the Annual Period.
- 3.1.3 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.





### 3.2 Reporting

3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 90 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

<b>Table 3.2.1: Annual Environmental Report</b>		
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Format or form<sup>1</sup></b>
-	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
1.2.11	Recycled output/cleaned product sampling and testing	Summary table with copies of original analytical reports appended
1.2.12	Hardstand surface sampling and testing	Summary table with copies of original analytical reports appended
Table 2.1.1	Monitoring of inputs and outputs	None specified
3.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

### 3.3 Notification

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

<b>Table 3.3.1: Notification requirements</b>			
<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Notification requirement<sup>1</sup></b>	<b>Format or form<sup>2</sup></b>
-	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.  Part B: As soon as practicable	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 pink line depicts the Premises boundary.

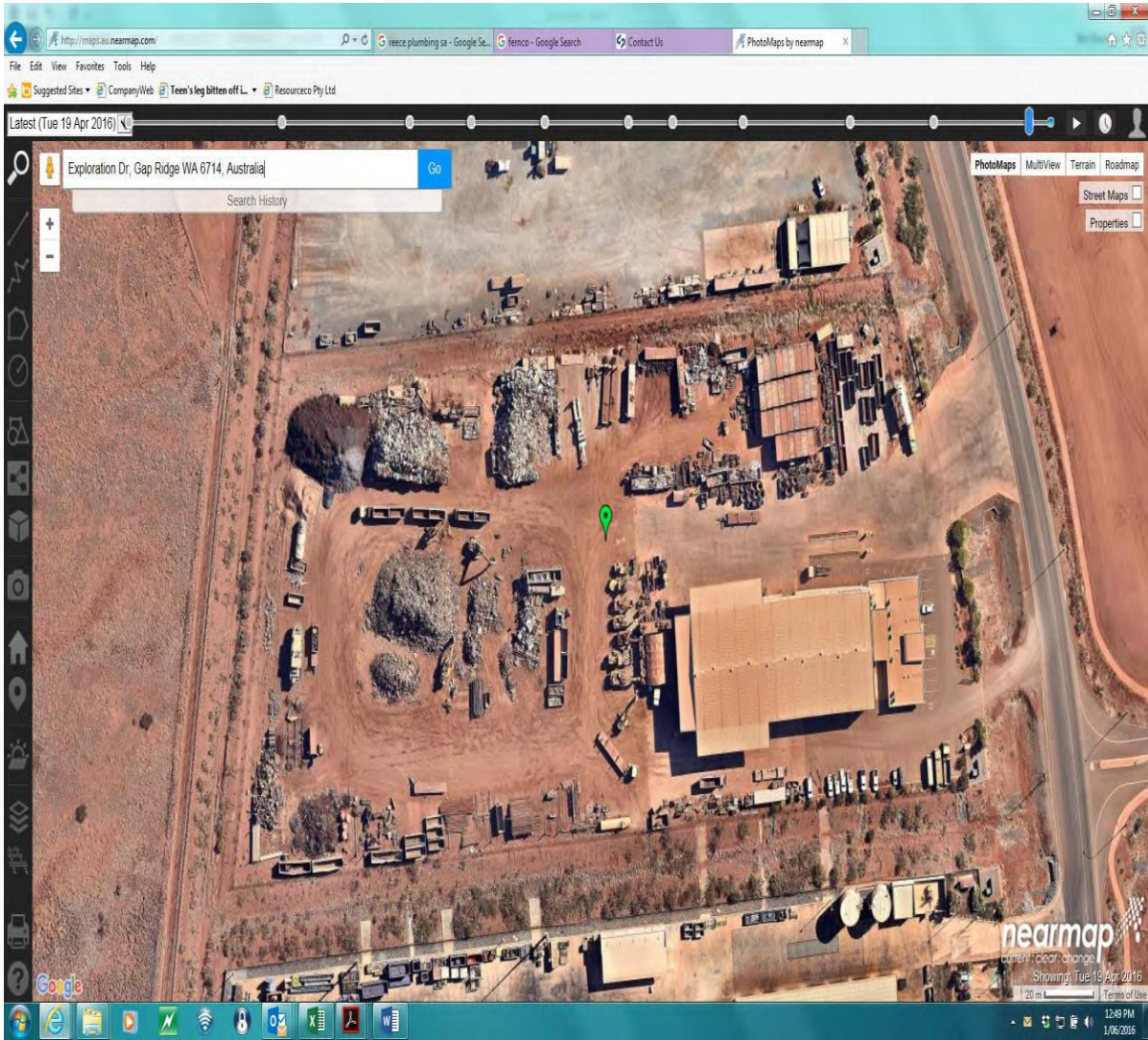


<b>LEGEND</b> <ul style="list-style-type: none"> <li>□ Cadastre</li> <li>■ Local Government Authorities</li> <li>✂ Road Centrolines</li> <li>Hydrography, linear (hierarchy)</li> <li>Coastal Waterline</li> <li>Embankment</li> <li>Infrastructure (cont)</li> </ul>		<ul style="list-style-type: none"> <li>Insignificant Tilt</li> <li>Unstable Area</li> <li>Mainstream</li> <li>Major River</li> <li>Major Tilt</li> <li>Minor River</li> <li>Minor Tilt</li> <li>Potential Drainage Line</li> <li>Significant Stream</li> <li>Town Planning Scheme Zones</li> </ul>		<ul style="list-style-type: none"> <li>Towns</li> <li>A</li> <li>B</li> <li>C</li> <li>Mining Tenements</li> <li>Dampier and Extensions 50cm Orthomosaic - Landgate 2008</li> <li>Newman 1.4m Orthomosaic - Landgate 2003</li> </ul>		<p>Busselton Shire 2014 20cm orthomosaic</p> <div style="text-align: center;">               Scale 1:1730              (Appropriate when reproduced at A4)              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: Christophers              Prepared for:              Date: 19/07/2018 8:52:19 AM           </div> <p style="font-size: small;">Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.</p> <div style="text-align: right;">               Government of Western Australia              Department of Environment Regulation              WA Crown Copyright 2003           </div>	
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\* Project Data. This data has not been quality assured. Please contact map author for details.



### Premises overview





## Schedule 2: Reporting & notification form

Licence: L8985/2016/1 Licensee: McMahon Services Australia Pty Ltd  
 Form: N1 Date of breach:

### Notification of detection of the breach of a limit.

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

### Part A

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

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	



## 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 McMahon Services Australia Pty Ltd	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** **McMahon Services Australia Pty Ltd**

**Licence:** **L8985/2016/1**

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**Registered office:** 26 Duncan Road,  
DRY CREEK SA 5094

**ACN:** 097 072 565

**Premises address:** Gap Ridge Metal Recycling and Asbestos Storage Facility  
Lot 104 Exploration Drive  
GAP RIDGE WA 6714  
Being Lot 104 on Plan 71037

**Granted:** Monday, 24 October 2016

**Commencement date:** Monday, 31 October 2016

**Expiry date:** Thursday, 30 October 2036

### **Decision**

Based on the assessment detailed in this document the Delegated Officer has decided to grant a Licence. The Delegated Officer considers that in reaching this decision, all relevant considerations have been taken into account.

Decision Document prepared by:

Chris Slavin  
Licensing Officer

Decision Document authorised by:

Alan Kietzmann  
Delegated Officer



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### 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	New Licence <input checked="" type="checkbox"/>
	Licence amendment <input type="checkbox"/>	Works Approval amendment <input type="checkbox"/>
Activities that cause the premises to become prescribed premises	<b>Category number(s)</b>	<b>Assessed design capacity</b>
	61A	100,000 tonnes per annual period
Application verified	Date: 26/07/2016	
Application fee paid	Date: 18/08/2016	
Works Approval has been complied with	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Compliance Certificate received	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Commercial-in-confidence claim outcome	N/A	
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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"/>
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If Yes include details of which EPP(s) here.		
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If Yes, include details here, eg Site is subject to SO <sub>2</sub> requirements of Kwinana EPP.		





### 3 Executive summary of proposal and assessment

McMahon Services Australia Pty Ltd (McMahon's) operates a metal recycling operation located at Lot 104 Exploration Drive, Gap Ridge. The facility receives scrap metal, both ferrous and non-ferrous, from a range of sources. The scrap metal is sorted and stockpiled prior to being processed for subsequent transport to numerous smelters and foundries both in Australia and across South East Asia.

Scrap metal processing at the facility involves cutting the metal into smaller manageable pieces to aid in transport by using a mixture of mechanical shearing and hot cutting such as oxyacetylene or lancing. Processed scrap metal is then either placed into containers or bins ready for transport. Scrap metal is also baled in some circumstances as part of the packing processing, as well as being a requirement of the Cyclone Management Plan. Scrap metal processing at the facility does not include shredding or use of a fragmenter.

McMahon's also intends to store and process asbestos material onsite. The application details the following:

*Asbestos delivered to the premises will be in the form of coating on concrete pipes. Removal of asbestos will be conducted in an enclosed 'bubble' (i.e. 2 – 4 sea containers with plastic sheeting over the top and outside forming roof/sides) which, located on a concrete pad. The bubble operates under negative pressure to prevent dust and airborne asbestos fibres escaping. The pipes will be cleaned and tested at a NATA accredited laboratory before being removed from the bubble to ensure the product is asbestos free. At the end of the removal campaign the concrete pad is cleaned, washed coated with polyvinyl acetate (PVA) and tested for asbestos. Asbestos will be handled in accordance with WA guidelines and standard industry practices. Typically the asbestos material will be stored in either HDPE lined skip bins, sealed drums or shipping containers. Storage is undertaken prior to the material being transported to appropriately licensed facilities. McMahons will not accept friable asbestos materials for storage or processing.*

The Department of Environment Regulation (DER) had not historically licensed Material Recycling Facility's (MRF's) as they were not considered a prescribed activity under Schedule 1 of the *Environmental Protection Regulations 1987*. The Delegated Officer has decided to issue a Licence for the premises in accordance with the application as the premises is already operating and no construction works are to be undertaken.

The main emissions from the premises is the release of air borne asbestos from storage and handling of asbestos containing material on the premises.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises, DER's *Guidance Statement: Land Use Planning* (October 2015), DER's *Guidance Statement: Licence Duration* (Revised May 2015) and DER's *Guidance Statement: Setting Conditions* (October 2015). Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Premises operation	L 1.2.3	<p><u>Emission Description</u></p> <p><i>Emission:</i> Smoke, including particulates and air emissions containing hydrocarbons and heavy metals released in the event of a fire. Firefighting foam may contain hazardous materials including surfactants, emulsifiers and modifiers.</p> <p><i>Impact:</i> Contamination of local air quality. Fires can result in polluted soil and surface water from both fallout and runoff from firefighting waters/foams discharged to the environment via drainage systems. In addition, gases from fire smoke can significantly impact on the respiratory system of the community through inhalation of particulates. The nearest sensitive receptor is an accommodation camp 1km away from the premises. Industrial premises about either side of the premises.</p> <p><i>Controls:</i> McMahons have proposed the following controls for fire prevention:</p> <ul style="list-style-type: none"> <li>• Immediately cease the activity causing the fire;</li> <li>• Move people and equipment away from the fire to reduce harm or incidence of further issues due to combustible fuels or gases adding to the fire;</li> <li>• Extinguish the fire or summon fire brigade to attend. Keep persons well away from the area until fire has been extinguished; and</li> <li>• Eliminate the potential for further fire by not starting equipment until the cause of the fire has been identified and the site cleaned up.</li> </ul> <p><u>Risk Assessment</u></p> <p><i>Consequence:</i> Moderate</p> <p><i>Likelihood:</i> Possible</p> <p><i>Risk Rating:</i> High</p>	<p><i>General provisions of the Environmental Protection Act 1986</i></p> <p><i>DER's Guidance Statement: Land use planning</i></p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i></p> <p><i>DER's Guidance Statement: Regulatory Principles</i></p> <p><i>DER's Guidance Statement: Setting Conditions</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Regulatory Controls</u></p> <p>Condition 1.2.3 has been included on the licence to specify the authorised processing of the wastes. These processes have been proposed by the occupier and have been assessed as suitable in regards to site capacity and infrastructure. The Delegated Officer considers that process limits will assist in preventing unauthorised discharges beyond the premises boundary, and reducing the risk of fires. Any additional wastes not included on the licence are not authorised and are required to be removed from the Premises under condition L1.2.2. The Delegated Officer considers that this will mitigate potential leachate runoff from stockpiling non-conforming waste, as well as reducing fire/explosive risk in storing hazardous wastes onsite.</p> <p>Condition 1.2.5 has been added to the Licence to ensure the Licensee has adequate security measures at the premises to prevent unwanted access when the premises is unattended. The delegated officer considers this condition necessary to reduce potential for unauthorised fires at the premises.</p> <p>Condition 1.2.6 has been added to the Licence to ensure the Licensee install and maintain signage at the premises which details contact numbers for the premises and the hours of operation and list of prohibited materials. The Delegated Officer considers this condition necessary to avoid inappropriate or hazardous material brought onto the premises.</p> <p>Condition 1.2.7 has been added to the Licence to ensure there is adequate fire prevention equipment on the premises to contain a fire. The Delegated Officer considers this condition necessary to ensure measures are in place to prevent a fire at the premises which could impact nearby receptors.</p> <p>Condition 1.2.8 has been added to the Licence to ensure that the fire service system provides adequate coverage of the site. Following referral of the application by DER, the Department of Fire and Emergency Services (DFES) conducted a site inspection.</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>DFES noted that the installed fire service system only provides cover for 40% of the premises</p> <p><u>Residual Risk</u>  <i>Consequence</i>: Moderate  <i>Likelihood</i>: Unlikely  <i>Risk Rating</i>: Moderate</p> <p>DER's assessment of Asbestos Risk Management is detailed in Appendix A.</p>	
<b>Fugitive emissions</b>	N/A	<p><u>Emission Description</u>  <i>Emission</i>: Fugitive dust emissions from onsite activities such as shearing, stockpiling, vehicle movements and transfer of materials via machinery.  <i>Impact</i>: Reduced local air quality from airborne particulates. Nuisance and potential health impacts to nearby residents and commercial neighbours. The nearest sensitive receptor is an accommodation camp 1km away from the premises. Industrial premises abut either side of the premises.  <i>Controls</i>: McMahons propose the following controls to mitigate dust:</p> <ul style="list-style-type: none"> <li>• Use of onsite water cart to suppress dust up lift from site activities;</li> <li>• Ensuring all vehicles maintain low speed whilst onsite ; and</li> <li>• Use of dust suppressants prior to summer months when deemed necessary by the site manager.</li> </ul> <p><u>Risk Assessment</u>  <i>Consequence</i>: Minor  <i>Likelihood</i>: Rare  <i>Risk Rating</i>: Low</p> <p><u>Regulatory Controls</u>            Fugitive dust conditions have not been included in the licence as the Delegated Officer</p>	<i>S49 of the Environmental Protection Act 1986</i>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>considers that dust emissions can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i>.</p> <p><u>Residual Risk</u>  <i>Consequence</i>: Minor  <i>Likelihood</i>: Rare  <i>Risk Rating</i>: Low</p>	
<b>Odour</b>	N/A	<p>The Licensee is restricted to accepting scrap metal onto the premises. In accordance with the document <i>Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)</i> scrap metal is defined as an Inert Waste Type 1. Inert Waste Type 1 is defined as being non-hazardous, non-biodegradable, odour is not expected to be produced from this waste stream.</p> <p>Odour conditions have not been included in the Licence in accordance with Departmental reform as published on DER's website under "Administrative changes implemented within the Department of Environment Regulation" <a href="http://www.der.wa.gov.au">www.der.wa.gov.au</a>. Odour can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i></p>	<p><i>S49 of the Environmental Protection Act 1986</i></p> <p><i>Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)</i></p>
<b>Noise</b>	N/A	<p><u>Emission Description</u>  <i>Emission</i>: Noise emissions from the following activities</p> <ul style="list-style-type: none"> <li>• metal shearing;</li> <li>• trucks for delivery and dispatch;</li> <li>• Baling of scrap metal;</li> <li>• Machinery used to create scrap stockpiles of metal.</li> </ul> <p><i>Impact</i>: Potential reduced wellbeing, amenity and comfort of sensitive noise receptors and to people on neighbouring industrial premises. The nearest sensitive receptor is an accommodation camp 1km away from the premises. Industrial premises abut either side of the premises. The premises operates 7 days per week from 6am – 6pm. On occasion, due to increased requirements relating to processing and loading for export shipment, the operating hours extend to 24hrs per day. This requirement is dependent</p>	<p><i>Environmental Protection (Noise) Regulations 1997</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>on volumes but generally this is undertaken 6-7 times per year for 3-4 days at a time. <i>Controls:</i> McMahons propose the following controls to mitigate noise:</p> <ul style="list-style-type: none"> <li>The site manager will control and ensure appropriate loading and unloading activities with designated areas to reduce potential noise; and</li> <li>All equipment will be maintained to manufactures specifications to reduce potential noise emissions.</li> </ul> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Moderate</p> <p><u>Regulatory Controls:</u> The Delegated Officer considers the <i>Environmental Protection (Noise) Regulations 1997</i> to be sufficient for controlling noise at the premises. To date, DER has not received any complaints regarding noise from the premises.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p>	
<b>Monitoring of inputs and outputs</b>	L2.1.1	Condition 2.1.1 has been added to the Licence to allow DER to monitor the inputs and outputs of the premises. The Delegated Officer considers necessary in assessing the wastes accepted and processed at the site are at a throughput that can be sufficiently managed by the premises infrastructure and controls.	<p>DER's <i>Guidance Statement: Regulatory Principles</i></p> <p>DER's <i>Guidance Statement: Setting Conditions</i></p>
<b>Information</b>		Condition 3.1.1 has been added to the Licence to ensure all records required by the Licence are legible and retained for a period of at least 6 years.	DER's <i>Guidance Statement:</i>



<b>DECISION TABLE</b>			
<b>Works Approval / Licence section</b>	<b>Condition number W = Works Approval L= Licence</b>	<b>Justification (including risk description &amp; decision methodology where relevant)</b>	<b>Reference documents</b>
		<p>Condition 3.1.2 has been added to the Licence to ensure the Licensee submits a Compliance Report outlining compliance with the conditions of the Licence during the reporting period.</p> <p>Condition has been added to the Licence to ensure a complaints management system is implemented for the purposes of recording complaints received and actions taken to resolve any issues.</p> <p>Condition 3.2.1 has been added to the Licence to ensure the Licensee submits an Annual Environmental Report (AER) within 60 calendar days at the end of the reporting period. The AER is required to enable the review of monitoring data collected during the reporting period.</p> <p>Condition 3.2.2 has been added to the Licence to ensure original monitoring reports submitted to the Licensee are submitted to the CEO of DER within 14 days of the request. The Delegated Officer considers this condition to be necessary in order to verify monitoring data submitted by the Licensee.</p> <p>Condition 3.3.1 has been added to the Licence to ensure DER is notified when there is a breach of any specified limit in the licence</p>	<p><i>Regulatory Principles</i></p> <p><i>DER's Guidance Statement: Setting Conditions</i></p>
<b>Licence Duration</b>	N/A	<p>This is the first Licence McMahons has applied for at this premises. The premises was constructed in 2012 in accordance with Development Approval (P2747) from the Shire of Roebourne. DER has assessed the risk of the premises including controls imposed by the Licence and controls imposed by the Licensee. As such DER will issue the Licence for a 20 year period. DER may reassess the duration of the Licence at a later date.</p>	<p><i>DER's Guidance statement: Licence Duration.</i></p>



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
29/08/2016	Application advertised in the West Australian	No comments received	N/A
29/08/2016	Application referred to City of Karratha	No comments received	N/A
29/08/2016	Application referred to Department of Fire and Emergency Services	The Department of Fire and Emergency Services (DFES) conducted a site inspection. DFES noted that the installed fire service system only provides cover for 40% of the premises	DER has placed condition on the Licence to notify the CEO of an updated fire service system, which provides coverage for the entire premises.
05/10/2016	Application referred to Department of Health (DoH)	The application was referred to DoH's Environmental Health Hazards unit for review of the asbestos processing component. Advice was received from Senior Toxicologist, Mr. John Howell, that approval for the project is not required under <i>the Health (Asbestos) Regulations 1992</i> and that detailed comment from DoH is not required.	N/A
12/10/2016	Proponent sent a copy of draft instrument	No comments received	N/A





## 6 Risk Assessment

*Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management*

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High



## Appendix A

### Asbestos risk assessment

#### Emission Description

*Emission:* Asbestos fibres becoming airborne from storage and handling on the premises. Asbestos fibres may become air-borne from processing of concrete pipes to remove asbestos.

*Impact:* Asbestos fibres can have severe health impacts including asbestosis and mesothelioma. The nearest sensitive receptor is an accommodation camp 1km away from the premises. Industrial premises abut either side of the premises.

*Controls:* McMahons have committed to handle all asbestos waste in accordance with Western Australian guideline and Industry Standard. Asbestos will be accepted onto the premises in either lined skip bins, sealed drums or shipping containers to prevent the release of asbestos fibres.

#### Risk Assessment

*Consequence:* Major

*Likelihood:* Possible

*Risk Rating:* High

#### Regulatory Controls

Condition 1.2.4 has been added to the Licence which sets out containment and labelling requirements for asbestos acceptance. The Delegated Officer considers this condition to be necessary to prevent the release of asbestos fibres from acceptance, handling and processing activities. Some requirements are similar to requirements in the *Environmental Protection (Controlled Waste) Regulations 2004*, which are applicable to asbestos waste transported for disposal.

Condition 1.2.9 has been added to the Licence to ensure all asbestos removal is confined to construction and demolition waste in accordance with the application.

Condition 1.2.10 has been added to the Licence to ensure asbestos removal is undertaken in an enclosed area under negative pressure and on a hardstand area. The Delegated Officer considers this condition necessary as it will reduce the potential of asbestos to become air-borne. The requirement for the enclosed area to be on a hardstand will reduce the potential for asbestos to become airborne from dust lift off from the bare ground due to vehicle and machinery movement.

Condition 1.3.11 has been added to the Licence to ensure upon completion of asbestos removal the recycled construction and demolition waste is tested to ensure the product contains <0.001% weight to weight ratio of asbestos. The Delegated Officer considers this condition to be necessary as product testing will confirm how much asbestos (if any) is remaining, which will determine suitability for future reuse.

Condition 1.3.12 has been added to the Licence to ensure that McMahon's staff are trained and competent in asbestos removal activities. The Delegated Officer considers this condition necessary to reduce the potential for asbestos being mishandled which could lead to fibres becoming air-borne.

Condition 1.3.13 has been added to the Licence to ensure that materials and surfaces are free from asbestos fibres prior to removal of the temporary containment infrastructure following an asbestos processing campaign.

#### Risk Assessment

*Consequence:* Major

*Likelihood:* Unlikely

*Risk Rating:* Moderate