



Licence Number	L8447/2010/3
Licence Holder	Asphaltech Pty Ltd
ACN	064 520 869
Registered business address	Level 5 12 St Georges terrace PERTH WA 6000
File Number	DEC4248/1
Duration	04/10/2015 to 03/10/2039
Date of issue	02/10/2015
Date of amendment	4 November 2019
Prescribed Premises	Category 35 - Asphalt manufacturing Category 61A – Solid waste facility As defined in Schedule 2
Premises	Asphaltech Malaga 416 Victoria Road MALAGA WA 6090 Legal description - Lot 176 on Diagram 92075 Certificate of Title Volume 2103 Folio 290 As shown in Schedule 1

This Amended Licence is granted to the Licence Holder, subject to the following conditions, on 4 November 2019, by:

A/Manager, Process Industries

REGULATORY SERVICES

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Contents

Contents	2
Introduction	2
Licence conditions	5
Schedule 1: Maps	13
Schedule 2: Reporting & notification forms	14

Introduction

This Introduction is not part of the Licence conditions.

DWER's industry licensing role

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

DWER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DWER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DWER 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/Licence Holder 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 Holder 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

Asphaltech Pty Ltd (the Licence Holder) began asphalt production by mixing aggregate materials with bitumen in September 1994. The premises are currently prescribed under category 35, asphalt manufacturing and are located within an industrial area in the suburb of Malaga that is neighboured by a residential development approximately 400 metres (m) southeast. Other nearby sensitive receptors include South Lake (230 m northeast) and Little Rush Lake (775 m east), which are wetlands classified for resource enhancement and conservation respectively.

The Licence Holder submitted an application to amend Licence L8447/2010/3 to allow for the operation of a new asphalt manufacturing plant on 23 July 2019. The asphalt plant was constructed under works approval W6134/2018/1 and a compliance report was submitted on 6 June 2019, confirming completion of works. As part of the works approval a risk assessment was undertaken for the construction and operation of the new asphalt plant.

As the new asphalt manufacturing plant is capable of using Reclaimed Asphalt Pavement (RAP), this licence amendment is for the addition of category 61A and associated conditions that relate to the new asphalt plant. In amending the licence, the CEO has also:

- updated the format of the Licence including the realigning of condition numbers and the correction of unintentional errors;
- deleted the redundant Annual Audit Compliance Report (AACR) form found in Schedule 2 and directed the Licence Holder to obtain the current AACR form on the Department's website;
- removed redundant conditions; and
- the licence duration has been extended from 3 October 2021 to 3 October 2039.

Under the works approval, diesel storage tanks were replaced with double skinned tanks and the interceptors upgraded with a Humeceptor stormwater treatment device. There are no emissions to land and treated stormwater from the Humeceptor is discharged to a Water Corporation compensation basin located at the rear of the premise (south-eastern boundary). Chemicals and hydrocarbons in lower quantities are stored in storage cupboards and pallet bunding to prevent discharges to land.

The Licence Holder is accredited to ISO 14001:2015 for Environmental Management Systems as well as having accreditation in safety and quality. As part of this accreditation the operations are audited by a third party once per year.

The licences and works approvals issued for the Premises since 01/10/2010 are:

Instrument log		
Instrument	Issued	Description
L8447/2010/2	01/10/2010	Licence re-issue.
L8447/2010/2	26/07/2013	Licence converted to current licence template.
L8447/2010/3	02/10/2015	Licence re-issue.
L8447/2010/3	04/11/2019	Licence amended to include new asphalt plant completed under W6134/2018/1 and the addition of category 61A

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:

'AACR' means Annual Audit Compliance Report, copy of the AACR is accessible from the DWER website;

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

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

'AS 4323.1' means the Australian Standard AS4323.1 *Stationary Source Emissions Method 1: Selection of sampling positions*;

'averaging period' means the time over which a limit is measured or a monitoring result is obtained;

'bin walls' means the walls of raw material storage bins, and includes temporary wind shields which may be installed as a dust control measure, and for the purpose of this licence, increase the height of the walls;

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

'CEO' for the purpose of correspondence means:

Chief Executive Officer
Department Administering the *Environmental Protection Act 1986*
Locked Bag 10
JOONDALUP DC WA 6027
Telephone: (08) 6367 7000
Facsimile: (08) 6367 7001
Email: info@dwer.wa.gov.au

'cold feed bins' means bins into which raw materials are placed immediately prior to being used to manufacture asphalt. They differ from raw material storage bins by being physically attached to conveyors leading directly into the asphalt manufacturing plant;

'Department' means the department established under section 35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Part V, Division 3 of the EP Act;

'DWER' Department of Water and Environmental Regulation;

'granular raw materials' means coarse aggregate, fine aggregate, hydrated lime and oxide or other any granular material added to the bitumen making process;

'ground bin' means a three sided concrete structure with a hardstand base, used to store granular raw materials;

'Licence' means this Licence numbered L8447/2010/3 and issued under the Act;

'Licence Holder' refers to the occupier of the premises being the person to whom this Licence has been granted, as specified at the front of this Licence;

'NATA' means the National Association of Testing Authorities, Australia;

'NATA accredited' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

'normal operating conditions' means any operation of a particular process (including abatement equipment) excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

'NOx' means oxides of nitrogen, calculated as the sum of nitric oxide and nitrogen dioxide and expressed as nitrogen dioxide;

'PM' means total particulate matter including both solid fragments of material and miniscule droplets of liquid;

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

'Processed RAP' means RAP which has been crushed and/or screened to size for recycling into new asphalt;

'RAP' means reclaimed asphalt pavement;

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

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

'stack test' means a discrete set of samples taken over a representative period at normal operating conditions;

'start-up' means the period when plant or equipment is brought from inactivity to normal operating conditions;

'STP dry' means standard temperature and pressure (0°Celsius and 101.325 kilopascals respectively), dry;

'USEPA' means United States (of America) Environmental Protection Agency;

'USEPA Method 2' means the USEPA Method 2 – Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S Pitot Tube);

'USEPA Method 5' means the USEPA Method 5 – Determination of Particulate Matter Emissions From Stationary Sources;

'USEPA Method 7E' means the USEPA Method 7E – Determination of Nitrogen Oxides Emissions From Stationary Sources (Instrumental Analyser Procedure);

'USEPA Method 10' means the USEPA Method 10 – Determination of Carbon Monoxide Emissions From Stationary Sources (Instrumental Analyzer Procedure);

'USEPA Method 17' means the USEPA Method 17 – Determination of Particulate Matter Emissions From Stationary Sources;

'USEPA Method 18' means the USEPA Method 18 – Measurement of Gaseous Organic Compound Emissions By Gas Chromatography; 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.
- 1.1.5 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 General conditions

- 1.2.1 The Licence Holder shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
- 1.2.2 The Licence Holder shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.3 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 ensure that:
- (a) the baghouse is operational prior to start-up of the drier and operated continuously whilst the drier is operating;
 - (b) the baghouse filters are regularly inspected; and
 - (c) when detected, blocked, frayed or leaking, baghouse filters are immediately replaced.

1.3.2 No raw materials, materials or fuels, listed in Table 1.3.2 shall be subjected to the process in that table unless they comply with the relevant specifications in that table.

Table 1.3.2: Processing of materials		
Material	Process	Specification
Granular Raw Materials (except for Processed RAP)	Storage and transport on the Premises	<p>The Licence Holder shall ensure that:</p> <ul style="list-style-type: none"> i) granular raw materials, are stored only in ground bins or cold feed bins; ii) all bins comprise of at least three sides and be of sufficient capacity to contain the stored materials; iii) cold feed bins are roofed; iv) at no time shall stored materials in the bins extend beyond the sides or height of the bin walls; v) materials are kept sufficiently damp through the use of misting water sprays; vi) the operation of the misting water sprays is inspected on a daily basis to ensure that they are operating efficiently; and vii) all conveyors transporting aggregate granular materials to the drum drier are enclosed with windshields, or otherwise appropriately designed to minimise the generation of airborne dust.
Bulk Filler (e.g. Lime)	Storage	<p>Bulk filler may only be stored (other than bagged storage) in a purpose built storage silo, which is designed and operated to meet the following requirements:</p> <ul style="list-style-type: none"> i) air discharged from any silo during filling shall pass through a filter-type dust collector fitted with either a mechanical rapping or reverse air-pulse filter cleaning system; ii) the air outlet from the dust collector shall either be piped to within one metre of the ground or ducted to a fully-enclosed space; iii) during the filling of the silo, if there is visible dust being emitted, the fault leading to that emission shall be rectified before the silo is filled from any additional trucks. However, if dust is visibly being carried off the premises, then silo filling shall cease immediately until appropriate measures have been taken to prevent dust being carried off the premises; and iv) all inspection ports and hatches shall be sealed during silo filling such that no dust is emitted.
Unprocessed RAP	Receipt, storage on the premises and use in the asphalt manufacturing process	<p>The Licence Holder must not store more than 5000 tonnes per year on the Premises.</p> <p>The Licence Holder shall ensure that unprocessed RAP does not contain any of the following materials:</p> <ul style="list-style-type: none"> • granular pavement materials, clay, soil or organic matter; • bricks, concrete, glass or building materials; or • tar based products, geotextile fabrics, raised pavement markers or surface treatments such as high friction surfacings or green or red pavement markings.

1.3.3 The Licence Holder is permitted to remove crushing and screening equipment for unprocessed RAP from the Premises and relocate it back within the Premises on an as needs basis, subject to the unprocessed RAP specifications in Table 1.3.2.

2 Emissions

2.1 General

2.1.1 The Licence Holder shall record and investigate the exceedance of any descriptive or numerical limit specified in any part of section 2 of this Licence.

2.2. Point source emissions to air

2.2.1 The Licence Holder shall ensure that where waste is emitted to air from the emission points in Table 2.2.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this Licence.

Table 2.2.1: Emission points to air

Emission point reference	Emission point	Emission point height (m)	Source, including any abatement
A1	Stack	minimum 25 above ground level	Drum drier via baghouse dust collector

2.2.2 The Licence Holder shall not cause or allow point source emissions to air greater than the limits listed in Table 2.2.2.

Table 2.2.2: Point source emission limits to air

Emission point Reference	Parameter	Limit (including units) ^{1,2}	Averaging period
A1	PM	50 mg/m ³	Minimum 60 minute average (Stack Test)

Note 1: All units are referenced to STP dry

Note 2: Concentration units for A1 are referenced to 17% O₂

3 Monitoring

3.1 General monitoring

- 3.1.1 The Licence Holder shall ensure that all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being.
- 3.1.2 The Licence Holder shall ensure that annual monitoring is undertaken at least 9 months apart.
- 3.1.3 The Licence Holder shall record production or throughput data and any other process parameters relevant to any non-continuous undertaken.
- 3.1.4 The Licence Holder shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications and the requirements of the Licence.
- 3.1.5 The Licence Holder shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to air

- 3.2.1 The Licence Holder shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of point source emissions to air				
Emission point reference	Parameter	Reporting Units ^{1, 3}	Frequency ²	Method
A1	Volumetric flow rate	m ³ /s	Annually	USEPA Method 2
	PM	mg/m ³ and g/s		USEPA Method 5 or USEPA Method 17
	Oxides of Nitrogen (NO _x)			USEPA Method 7E
	Total Volatile Organic Compounds			USEPA Method 18
	Carbon monoxide (CO)			USEPA Method 10

Note 1: All units are referenced to STP dry

Note 2: Monitoring shall be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production.

Note 3: Concentration units for A1 are referenced to 17% O₂.

- 3.2.2 The Licence Holder shall ensure that monitoring required under Condition 3.2.1 of the Licence is undertaken at monitoring locations in accordance with the AS 4323.1.
- 3.2.3 The Licence Holder shall ensure that all non-continuous monitoring and analysis undertaken pursuant to condition 3.2.1 is undertaken by a holder of NATA accreditation for the relevant methods of monitoring and analysis.

4 Information

4.1 Records

- 4.1.1 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 4.1.1(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.
- 4.1.1 The Licence Holder 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.
- 4.1.2 The Licence Holder shall complete an Annual Audit Compliance Report indicating the extent to which the Licence Holder 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.
- 4.1.3 The Licence Holder 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.

4.2 Reporting

- 4.2.1 The Licence Holder shall submit to the CEO an Annual Environmental Report within 60 calendar days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	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 3.2.1	Emissions to air monitoring results	AR1
4.1.2	Compliance	Annual Audit Compliance Report (AACR)
4.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2

- 4.2.2 The Licence Holder shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under Condition 3.1.3; and
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits.

4.2.3 The Licence Holder shall submit the information in Table 4.2.3 to the CEO according to the specifications in that table.

Table 4.2.3: Non-annual reporting requirements				
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEOs request	As received by the Licensee from third parties

4.3 Notification

4.3.1 The Licence Holder shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
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. Part B: As soon as practicable	N1

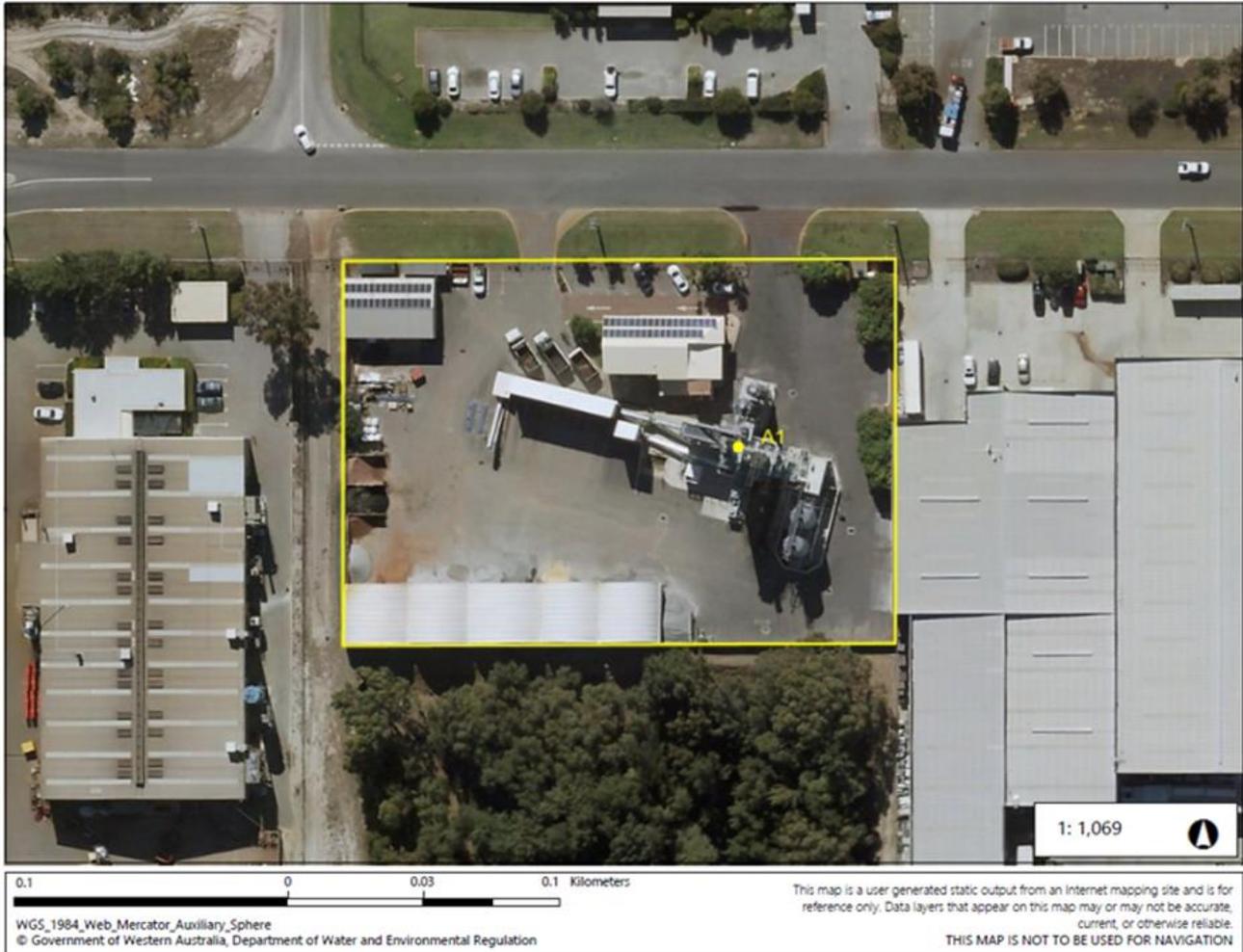
Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

Note 2: Forms are in Schedule 2

Schedule 1: Maps

Premises map

The yellow line depicts the Premises boundary. The location of emission point A1 (Table 2.2.1) is shown in the map below.



Schedule 2: Reporting & notification forms

Licence: L8447/2010/3
 Form: AR1
 Name: Monitoring of point source emissions to air

Licence Holder: Asphalttech Pty Ltd
 Period :

Form AR1: Monitoring of point source emissions to air							
Emission point	Parameter	Limit	Result ¹	Result ¹	Averaging period	Method	Sample date & times
A1	Volumetric flow rate		m ³ /s			USEPA Method 2	
	PM	50 mg/m ³	mg/m ³	g/s		USEPA Method 5 or USEPA Method 17	
	Total VOC		mg/m ³	g/s		USEPA Method 8	
	Carbon Monoxide		mg/m ³	g/s		USEPA Method 10	
	Nitrogen oxides		mg/m ³	g/s		USEPA Method 7E	

Note 1: All units are referenced to STP dry and relevant Oxygen Correction in Table 2.2.2

Signed on behalf of Asphalttech Pty Ltd: Date:

Licence: L8447/2010/3
Form: N1

Licence Holder: Asphalttech Pty Ltd
Date of breach:

Notification of detection of the breach of a limit.

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

Part A

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

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 Asphalttech Pty Ltd	
Date	