



Application for Licence Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L6363/1995/14
Licence Holder	The Griffin Coal Mining Company Pty Limited
ACN	008 667 285
File Number	DER2010/003138-2
Premises	Griffin Coal - Ewington I and II Open Cut Mines Coalfields Highway COLLIE WA 6225 Legal description – Part of coal mining lease CML 12/633, CML 12/634, CML 12/635, CML 12/636, CML 12/637, CML 12/638, CML 12/639, CML 12/640, CML 12/643, CML 12/644, CML 12/648, CML 12/680, CML 12/681, CML 12/682, CML 12/746, CML 12/748, CML 12/749, CML 12/751, CML 12/756 and part of CML 12/642, CML 12/645, CML, 12/651, CML 12/744, CML 12/745, CML 12/747, CML 12/750, CML 12/752, CML 12/753, CML 12/754, CML 12/844, CML 12/845, CML 12/846, M12/33, M12/34, M12/35 and M12/36. As defined by the Premises maps attached to the Revised Licence Approval
Date of Report	06 May 2022
Decision	Revised licence granted

**MANAGER, RESOURCE INDUSTRIES
REGULATORY SERVICES**

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

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1. Decision summary

The Delegated Officer has determined to make amendments to licence L6363/1995/14 held by The Griffin Coal Mining Company Pty Limited (licence holder) for the Griffin Coal - Ewington I and II Open Cut Mines (the premises), located at Coalfields Highway, Collie, WA 6225.

The revised licence issued because of this amendment consolidates a previous amendment from Amendment Notice 1, thereby superseding the existing licence granted for the premises. This amendment report documents the assessment of potential risks to the environment and public health from the addition of two discharge points to the premises by the licence holder.

As a result of this assessment, revised licence L6363/1995/14 has been granted. This amendment report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing licence will remain on the Department of Water and Environmental Regulation's (DWER, the department) website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this amendment report, the department has considered and given due regard to its regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Amendment summary

The scope of this amendment includes an occupier initiated amendment, and a department initiated consolidation to existing licence L6363/1995/14.

Existing licence L6363/1995/1 relates to Category 9 coal mining, Category 53 flyash disposal and Category 63 class I inert landfill site, and the assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations).

2.2.1 Occupier initiated amendment

DWER compliance officers carried out an inspection of the premises on 25 February 2021. This inspection identified discharges of hydrocarbon contaminated wastewaters into the environment and non-compliance with Regulation 3(1) of the *Environmental Protection (Unauthorised Discharges) Regulations 2004*:

- Mine heavy vehicle washdown water being discharged to an unlined stormwater infiltration basin with the potential for hydrocarbon residue to be washed off machinery into the receiving pond, and;
- Discharge of effluent from the oily water separator to the environment.

These discharge points were not authorised under the existing licence.

The licence holder applied to the department to amend licence L6363/1995/14 under section 59 and 59B of the EP Act to accurately reflect current operations on the existing licence and include the two additional discharge points. The application was received on 23 June 2021.

The licence holder is seeking an amendment to the existing licence to include two additional discharge points to the premises listed below as.

- Operation of an oily water separator (OWS) and;

- Operation of a truck wash bay

No changes to the aspects of the existing licence relating to Category 9 and 53 have been requested by the licence holder.

2.3 Consolidation of Licence

As part of this amendment package the department has consolidated the licence by incorporating changes made under the Amendment Notice as summarised in Table 1.

Table 1: Licences consolidated in this amendment

Instrument	Issued	Summary of approval
L6363/1995/14	11/08/2017	Licence Amendment Notice 1 - to include category 63 for the disposal of used tyres.
L6363/1995/14	06/05/2022	Licence amendment for the addition of two discharge points within the premises not currently listed on the licence. These are for an oily water separator and a truck wash bay.

The obligations of the licence holder have not changed in consolidating Amendment Notice 1 into the licence. The department has not undertaken any additional risk assessment of the premises related to previous amendment notices. In consolidating the licence, the CEO has:

- deleted the redundant AACR form set out in schedule 2 of the previous licence and advise the licence holder to obtain the form from the department's website.
- revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this revised licence approval are detailed in Section 5.1. Previously issued amendment notices will remain on the department's website for future reference and will act as a record of the department's decision making.

2.4 Part IV of the EP Act

The Griffin Coal - Ewington I and II Open Cut Mine was approved under Part IV of the EP Act pursuant to Ministerial Statement 380 (MS380). In accordance with this approval, the licence holder maintains and implements a series of environmental management plans which document management strategies for significant aspects to minimise environmental impact.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which

have been considered in this amendment report are detailed in Table 2 below.

Table 2 also details the proposed control measures the licence holder has proposed to assist in controlling these emissions, where necessary.

Table 2: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Hydrocarbon contaminated water	Operation of oily water separator (OWS), referred to as EW2 (W4) in the licence and in Figure 1.	Direct discharge through overtopping of pond Infiltration	<p>Treated wastewater is directed into a lined pond – approximately 12.3m x 8.4m.</p> <p>Fuel loading area is sealed and drains of hardstand and bunded area are directed into the OWS.</p> <p>OWS is regularly maintained with collected hydrocarbons removed by a licensed waste contractor.</p> <p>Installation of a flow meter to measure discharge volumes.</p> <p>Installation of a P.040 SPEL Purceptor system which has been designed to ensure effluent from the system has a TRH concentration of less than 10mg/L. Water samples will be taken from the lined pond (GPS location 429673.73, 6308208.99)</p> <p>Groundwater monitoring bores show a separation distance of 50m from the surface to the groundwater.</p> <p>Regular inspections of the area, implementation of Spill Response procedures including containment and removal of spillage and contaminated soils, and increasing staff awareness through toolbox sessions, pre-starts and safety meetings.</p>
Sediment laden wash water	Operation of truck wash bay, referred to as EW2 (W5) in the licence and in Figure 1.	Direct discharge through overtopping of pond Infiltration	<p>The truck wash facility comprises a concrete pad which drains into a sedimentation pond adjacent to facility.</p> <p>Groundwater monitoring bores show a separation distance of 60m from the surface to the groundwater.</p>
Hydrocarbon contaminated water			<p>Installation of a flow meter to measure discharge volumes from wash down bay.</p> <p>Installation of water treatment system if TRH levels cannot be maintained generally below the target 10mg/L. Water samples will be taken from the pond (GPS location: 429140.26, 6308861.48)</p> <p>Operational controls include regular inspections of the area, implementation of Spill Response Procedures including containment and removal of spillage and contaminated soils.</p>

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors, and contractors of the licence holder from its assessment. Protection of these parties often involves different exposure risks and prevention strategies and is provided for under other state legislation.

Table 3 below provides a summary of potential human and environmental receptors that may be

impacted because of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2020)).

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential Premises	4.8 km west of the oily water separator EW2 (W4). 4.2 km west of the truck wash bay EW2 (W5) and; <i>The Delegated Officer notes that from the oily water separator and truck wash bay, there would be no realistic pathway to residential premises. The risk to these receptors is not assessed further in this amendment report.</i>
Environmental receptors	Distance from prescribed activity
Collie River East Branch	Runs in a north-westerly direction to the east of the premises. Approximately 4.5km east from the W4 and W5 discharge points.
Boronia Gully	Minor perennial watercourse is approximately 4.5km north west from the W4 and W5 discharge points.
Groundwater	Groundwater is proclaimed under RIWI Act, part of the Wellington Dam Catchment Area and classified 'Zone D' under the CAWS Act. Depth to groundwater in the vicinity of discharge points is 50 – 60 metres below ground level.

Imagery: ESA Sentinel (July 2021) & Landgate (September 2019)

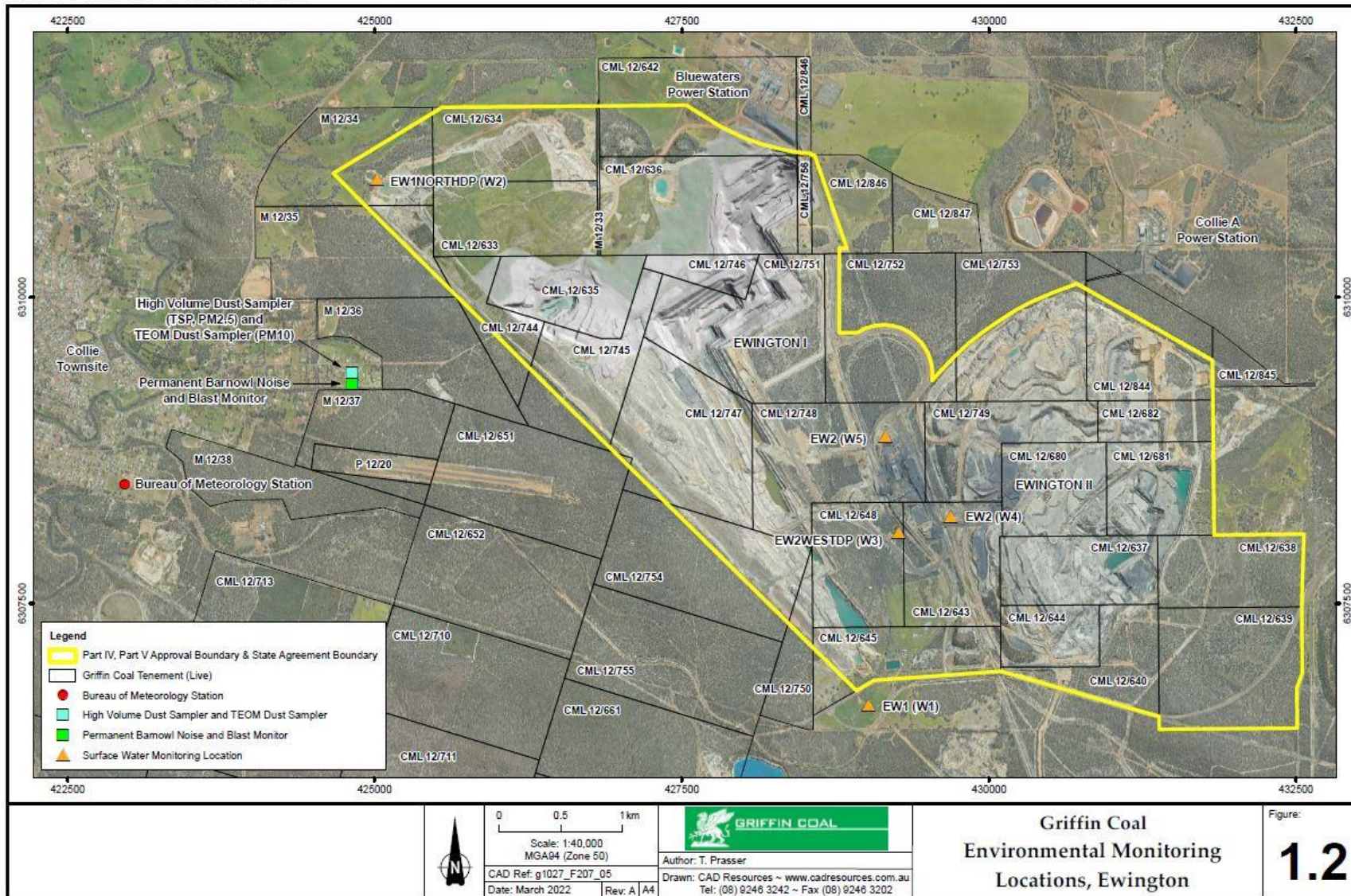


Figure 1: Site layout and distance to sensitive receptors.

Licence: L6363/1995/14

IR-T15 Amendment report template v3.0 (May 2021)

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and considers potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the licence holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the licence holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the licence holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The revised licence L6363/1995/14 that accompanies this amendment report authorises emissions associated with the operation of the premises i.e. coal mining activities.

The conditions in the revised licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Operation								
Oily water separator (OWS)	Hydrocarbon contaminated water	Direct discharge through overtopping or pond infiltration	Collie River East Branch Boronia Gully Groundwater	Refer to section 3.1.1	C = Slight L = Unlikely Low Risk	Y	Condition 2.2.1 Condition 3.2.1 Condition 3.3.1	N/A
Truck wash bay	Sediment laden wash water Hydrocarbon contaminated water	Direct discharge to pond or through overtopping or pond potential infiltration to groundwater	Collie River East Branch Boronia Gully Groundwater	Refer to section 3.1.1	C = Slight L = Unlikely Low Risk	Y	Condition 2.2.1 Condition 3.2.1 Condition 3.3.1	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
<i>Licence Holder was provided with draft amendment on 18/02/2022 and provided a response on 11/04/2022.</i>	The licence holder provided requested information confirming lined ponds dimensions and sampling locations.	Noted. Licence and amendment report updated accordingly.

5. Conclusion

Based on the assessment in this amendment report, the Delegated Officer has determined that a revised licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements. The licence has been amended to incorporate the previous amendment from 2017 to include tyre disposal of 500 tonnes per year. The licence has also been amended to include two additional discharge points for an oily water separator and truck wash bay wastewater facilities.

5.1 Summary of amendments

Table 6 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

Table 6: Summary of licence amendments

Condition no.	Proposed amendments
Instrument log	Application related to the inclusion of wastewater discharge points.
2 Emissions	Table 2.2.1 Emission points to surface water, added oily water separator and truck wash bay discharge points.
Table 3.2.1	Table 3.2.1 Monitoring of point source emissions to surface water, added total recoverable hydrocarbons from emission points EW2 (W4) AND EW2 (W5) for oily water separator and truck wash bay discharge points.
Table 3.3.1	Table 3.3.1 Monitoring of inputs, added total recoverable hydrocarbons from emission points EW2 (W4) AND EW2 (W5) for oily water separator and truck wash bay discharge points.
Schedule 1 Maps	Inclusion of a new map indicating the 2 additional discharge points.

Conditions from Amendment Notice 1 were added into, amended, or removed from the current licence as per Table 7. These changes to the licence were not assessed in this Amendment Report.

Table 7: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Amendment Notice 1	Amendment Date: 11 August 2017	In accordance with the Global Amendment of Licence Expiry Date extended to 14/09/2026
N/A	Prescribed premises category	63: Class I inert landfill site, 500 tyres	Added as part of Amendment Notice 1 assessment.
1.1.1	Definitions	'Anniversary date', 'annual period', 'CEO', 'Compliance Report', 'Department', 'Licence Holder', 'TRH'	Revised to current licensing format.
1.1.5	Licence amendment	Condition 1.1.5 of the licence is amended by the deletion of the text	Redundant condition. Revised to current licensing format.
1.2.1 to 1.2.3	Licence amendment	Condition 1.2.1 to 1.2.3 of the licence is amended by the deletion of the text	Redundant condition. Revised to current licensing format.
1.3.1	Throughput limits	Table 1.2.1 of the licence is amended to include tyre disposal 500 tonnes	Additional throughput limit added.
2.2.1 and 2.2.2	Emissions	Table 2.2.1 and Table 2.2.2 of the licence is amended to include discharge points W4 and W5.	Amended as part of licence amendment for additional discharge locations.
2.2.4	Management Actions	Table 2.2.4 The licence holder shall undertake the monitoring required by Table 3.2.1	Redundant Table reference. Revised to correct table number.
2.3.1 and 2.3.2	Pollution control and monitoring equipment	Condition 2.3.1 to 2.3.2 of the licence is amended by the deletion of the text	Redundant condition. Revised to current licensing format.
Table 3.2.1	Monitoring of point source emissions.	Table 3.2.1 of the licence is amended to include discharge points W4 and W5.	Amended as part of licence amendment for additional discharge locations.
Table 3.4.1	Monitoring of inputs	Added AS 3580.9.6 text to table.	Added as part of Amendment Notice 1 assessment.
4.1.1	Improvement program	Table 4.1.1 is amended by the deletion of the table.	Removed as part of Amendment Notice 1 assessment.
5.1.2 and 5.1.3	Licence amendment	Condition 5.1.2 and 5.1.3 of the licence is amended by the deletion of the text	Redundant condition. Revised to current licensing format.
5.2	Reporting	Condition 1.3.2, Total quantity of tyres disposed of added to Table 5.2.1	Added as part of Amendment Notice 1 assessment.

Existing condition	Condition summary	Revised licence condition	Conversion notes
5.2.1	Annual Environmental Report	Table 5.2.1 Annual Environmental Report, 5.1.3 Compliance Report amended by deletion of text.	Redundant condition. Revised to current licensing format.
Schedule 1: Maps	Premises map	Schedule 1: Maps	New naming convention, no change to map.
Schedule 2 Reporting and notifications	Reporting & notification forms	Annual Audit Compliance Report Proforma Section A licence details amended by deletion of text.	Redundant condition. Revised to current licensing format.
Schedule 2 Reporting and notifications	Reporting & notification forms	Annual Audit Compliance Report Proforma Section B details of non-compliance with licence condition amended by deletion of text.	Redundant condition. Revised to current licensing format.
Schedule 2 Reporting and notifications	Reporting & notification forms	Annual Audit Compliance Report Proforma Section C signature and certification amended by deletion of text.	Redundant condition. Revised to current licensing format.

6. References

1. The Griffin Coal Mining Company *Licence Amendment Application and Supporting Information 2021* (Griffin Coal) Perth, Western Australia.(DWERDT505173)
2. Department of Water and Environment Regulation (DWER) 2021, *Environmental Inspection Report*, Perth, Western Australia (DWERDT A1987768).
3. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
4. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
5. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.