



Application for Licence Amendment

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

Licence Number	L8793/2013/1
Licence Holder	Shire of Esperance
File Number	2013/003950-1
Premises	Myrup Truck Wash and Liquid Waste Facility Lot 1885 on Plan 171656 Myrup Road, MYRUP WA 6450 (as depicted in Schedule 1)
Date of Report	6/01/2022
Proposed Decision	Revised licence granted

Steve Checker
MANAGER, WASTE INDUSTRIES
REGULATORY SERVICES
an officer delegated under section 20
of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

Licence L8793/2013/1 is held by Shire of Esperance (Licence Holder) for the Myrup Truck Wash and Liquid Waste Facility, located at Lot 1885 on Plan 171656 Myrup Road, Myrup WA 6450.

This premise relates to category 61 activities and the assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Licence L8793/2013/1.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the campaign dredging pond of sludge and temporary dewatering of sludge via geo-tubes undertaken at the premises.

The dried sludge will be removed from the premises to an approved landfill for disposal. As a result of this assessment, Revised Licence L8793/2013/1 has been granted.

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

On 14 June 2021 the Licence Holder submitted an application to the department to amend Licence L8793/2013/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The amendments are being sought to accommodate following operations:

- Dredging to remove approximately 1236 m³ sludge from Truck Wash and Septage Ponds
- Establish an approximately 34 x 22 m² temporary dewatering/filtration area, lined with linear low-density polyethylene (LLDPE), surrounded by a 500 mm high bund wall.
- Building a spoon drain with a sump pump installation for the geo-tube's dewatering process.
- Sludge collection into geo-tubes, as per schematic shown in following Figure 1 and Table 1.

The department has also consolidated previous amendment notices and updated the format of the licence within this amendment. Obligations of the Licence Holder not related to the amendment application have not changed in consolidating 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:

- updated the format and appearance of the Licence;
- revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency;
- deleted the redundant AACR form set out in schedule 1 of the previous licence and advise the Licence Holder to obtain the form from the department's website; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this Revised Licence are detailed in Section 6.1. 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.

Figure 1: A schematic diagram of sludge dewatering processes provided by the Licence Holder.

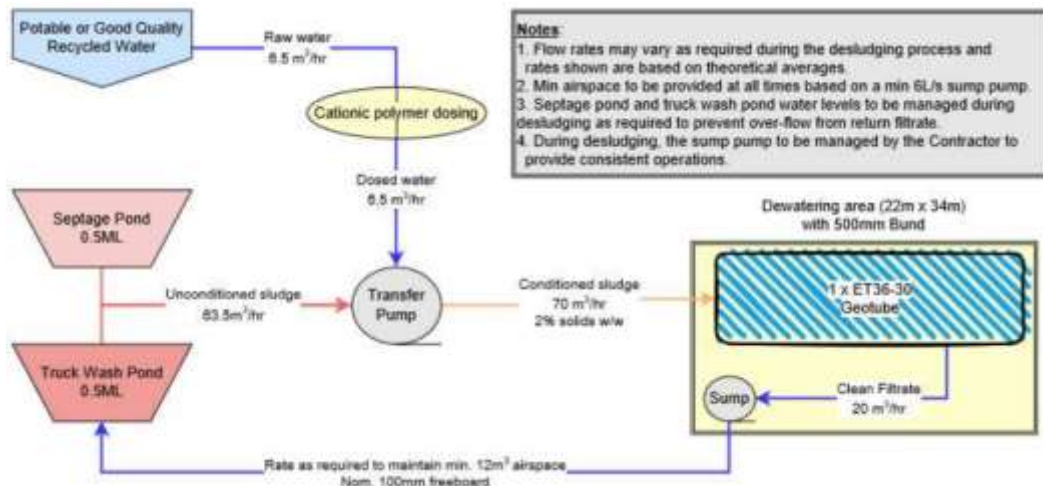


Figure 2 Sludge dewatering using the geo-tubes provided by the Licence Holder



Table 1: Water balance assessment provided by the Licence Holder

Parameter	Value	Source
Sludge volume to be treated		
Truck Wash Pond	0.5 ML	From contractor
Septage Pond	0.5 ML	From contractor
In-situ sludge density	11% w/w	From contractor
Sludge conditioning		
Potable water rate for polymer dosing	6.5 m³/hr	Adopted based on contractor estimate of 6 to 7 kL/hr
Sludge pumping		
Pumping density	2% w/w	From contractor
Dewatering operations duration	10 days	From contractor
Pumping operations hours per day	10 hours per day	From contractor
Sludge pumping rate to geotube	70 m³/hr	From contractor
Geotube		
Volume of sludge in geotube at which pumping operations cease	1,236 m³	From contractor
Geotube dimensions	30 m (l) x 18 m (w)	From contractor
Geotube area	540 m²	From dimensions above
Dewatering		
Dewatering area dimensions	34 m (l) x 22 m (w)	From contractor
Dewatering area	748 m²	From dimensions above

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 ponds dredging and geo-tube's dewatering have been considered in this Amendment Report are detailed in Table below. Table 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
Odour	Construction: N/A Operation: Anaerobic Ponds dredging and sludge drying	Air/windborne pathway Seepage, leaks and spills of sludge from storage, process and handling areas, etc.	Operation: Ponds dredging and sludge collection in geo-tubes >1 km separation distance to residential dwellings; Geo-tubes are sealed vessels; Dried sludge transported off-site
Noise	Construction: Vehicles, mobile plant, machinery Operation: Ponds dredging	Air/windborne pathway	>1 km separation distance from residential dwellings;
Dust	Construction: Vehicle movement on unsealed surfaces, excavations and movement of soil, stockpiling soil and other materials, and construction activities. Operation: N/A	Air/windborne pathway	>1 km from residential dwelling. Construction: All earthworks shall be undertaken in accordance with AS3798-2007. Dust emissions shall be confined within site boundary. Dust will be suppressed at all times. Mist sprays used over areas with potential for dust generation.
Sludge leachate	Construction: Sediment Operation: Sludge Dredging	Overland flow	Construction: - Construction expected to occur over a short period of time Operation: 500 mm bund All sludge will be collected in a sealed geo-tube. Dried sludge will be transported to off-site location for disposal
Pond Leachate	Construction:	Seepage to soils and	Construction: N/A

Emission	Sources	Potential pathways	Proposed controls
	Earthworks required for Envi-tube dewatering area Operation: Sludge dredging	groundwater	Operation: Temporary dewatering area (34 m x 22 m) bunded and lined with LLDPE. Install 30 x 18 m geotextile dewatering tube (ET36-30 Envi-tube or approved equivalent). Leachate drained pumped to Anaerobic Pond. A typical bund, sump and liner prepared following bulk earthworks in line with geo-membrane

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's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table below provides a summary of potential human and environmental receptors that may be impacted as a result 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 property	Approximately 1 km west of the property
Department of Agriculture	Approximately 1 km southeast of the property
Shark Lake Abattoir	Approximately 0.5 km south of the property
Esperance speedway	Approximately 0.5 km north of the property
Environmental receptors	Distance from prescribed activity
RAMSAR Wetlands	Approximately 4 km south of the property
Shark lake wetland - freshwater	Approximately 900 m west of the property
Priority Area 3 Public Drinking Water Source	450 m to the north from the prescribed premises boundary

4. Schedule 1 Maps

4.1 Premises map

Figure 2: The Premises are shown in the map below:

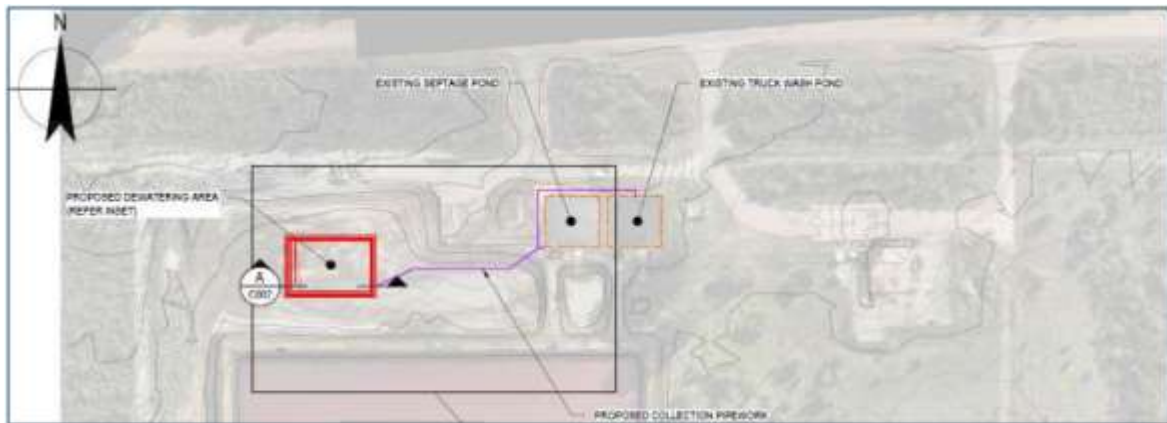


4.2 Premises Layout

Figure 3: The Premises layout is shown in the map below:



Figure 4: Geo-tube sludge dewatering area shown in map below:



4.2 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 takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete 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 .

The Revised Licence L8793/2013/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. Liquid waste facility 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 dredging operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Construction								
Installation of infrastructure for: Geo-tube dewatering area Plant and vehicle use	Dust	Air/windborne pathway causing impacts to health and amenity	Nearest residence is located 1 km, Commercial /recreational sites are 0.5 km	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	The Delegated Officer considers separation distance to receptors is sufficient in managing the risk of impacts from construction noise and dust. General provisions of the EP Act and the Noise Regulations apply in the event of any issues.
	Noise		This site is located within the Shire of Esperance Town Planning Scheme Special Control Area No. 5 Lake Warden Recovery Catchment.					
Operation (Including commissioning)								
Dredging operation	Noise	Air/windborne pathway causing impacts to health and amenity	Nearest residence is located 1 km, Commercial /recreational sites are 0.5 km This site is located within the Shire of Esperance Town Planning Scheme Special Control Area No. 5 Lake Warden	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	The Delegated Officer considers separation distance to receptors is sufficient in managing the risk of impacts from noise. The Noise Regulations apply

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
			Recovery Catchment					in the event of any issues..
	Odour			Refer to Section 3.1	C = Slight L = Unlikely Low Risk		Condition 5: relates to the installation of lined area for sealed geo-tube dewatering apparatus as outlined in the supporting documentation.	The Delegated Officer considers separation distance to receptors is sufficient in managing the risk of impacts from odour. General provisions of the EP Act apply in the event of any issues..
	Leachate	Infiltration and overland flow of potentially harmful treated wastewater	Nearest residence is located 1 km, Commercial /recreational sites are 0.5 km This site is located within the Shire of Esperance Town Planning Scheme Special Control Area No. 5 Lake Warden Recovery Catchment	Refer to Section 3.1	C= Moderate L= Unlikely Medium Risk	Y	Condition 5: relates to the installation of lined dewatering area for geo-tube as outlined in the supporting documentation.	The Delegated Officer considers the sludge dewatering does not significantly increase risk as leachate is returned to the existing truck wash ponds. Existing conditions and Licence Holder controls sufficient to manage risk.
	Contaminated	Overland runoff potentially	Nearest residence is located 1 km,	Refer to Section	C= Moderate	Y		The Delegated Officer considers

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
	stormwater Chemical spill containing Cationic Polymer	causing ecosystem disturbance or impacting surface water quality	Commercial /recreational sites are 0.5 km This site is located within the Shire of Esperance Town Planning Scheme Special Control Area No. 5 Lake Warden Recovery Catchment	3.1	L= Unlikely Medium Risk			existing conditions and Licence Holder controls sufficient to manage risk.
				Refer to Section 3.1	C= Major L= Unlikely Medium Risk	N	Condition 5: Table 3: requires that the Licence Holder employs a 500mm high bunding to ensure that dewatering effluent does not leave the premises.	The Delegated Officer has reviewed the information regarding the risk of sludge discharging to land and groundwater due to infrastructure failure, overtopping. The sludge dewatering areas must be constructed so as not to present an unacceptable risk of contamination of the surrounding land; Current licence conditions included that requires construction standards to be maintained.

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.

5. Consultation

The Shire of Esperance was provided with the draft Licence and Decision Report on 15 December 2021. A reply email confirming no objection to the proposed amendments was received on 23 December 2021.

6. 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.

Conditions 5, 10 and 23 (Table 3, Table 4 and Table 8) have been revised to conduct proposed ponds dredging and sludge to discharge in to designated dewatering area.

6.1 Summary of amendments

Table 5. 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 5: Consolidation of licence conditions in this amendment

Existing Licence condition/ table/schedule	Condition summary	Revised Licence condition/ table/schedule	Conversion notes
N/A	Introduction	N/A	Removed
1.1.1, 1.1.3 and 1.1.4	General	N/A	Redundant conditions - removed. The conditions are not considered to be necessary or convenient for the purposes of the EP Act relating to the prevention, control, abatement or mitigation of pollution or environmental harm.
1.1.2	Interpretation	Definitions	Moved to Table 9
1.2.1	Premises operation	1	Direct transfer
1.3.1		2	Direct transfer
1.3.2 - Table 1.3.1		3 - Table 1	Direct transfer
1.3.3 - Table 1.3.2		4 - Table 2	Direct transfer
1.3.4 - Table 1.3.3		5 - Table 3	Direct transfer Table 3 revised to include geo-tube dewatering area.
1.3.5 – 1.3.8		6 - 9	Direct transfer
1.3.9 - Table 1.3.4		10 - Table 4	Direct transfer Table 4 revised to include sludge dewatering specification.
1.3.10 & 1.3.11		11 - 12	New conditions
2.1.1	Monitoring	13	Direct transfer
2.1.2		14	Direct transfer

2.2.1 Table 2.2.1		15 - Table 5	Direct transfer
2.3.1 Table 2.3.1		16 - Table 6	Direct transfer
3.1.1	Information	17	Direct transfer
3.1.2 Table 3.6.1		18	Direct transfer
3.1.3		19	Direct transfer
3.1.4		20	Direct transfer
3.2.1 Table 3.2.1	Reporting	21 - Table 7	Direct transfer
3.2.2		22	Direct transfer
3.3.1 Table 3.3.1	Notification	23 - Table 8	Direct transfer Table 8 revised to include reference to geo-tube dewatering area
Schedule 1	Maps	Schedule 1	Direct transfer
Schedule 2	Reporting and Notification forms	Schedule 2	Removed AACR, Section B and Section C due to availability on DWER's website N1 form updated

References

1. DER July 2015, *Guidance Statement: Regulatory Principles*, Department of Environment Regulation Perth.
2. DER October 2015, *Guidance Statement: Setting Conditions*, Department of Environment Regulation Perth.
3. DER August 2016, *Guidance Statement: Licence Duration*, Department of Environment Regulation Perth.
4. DER November 2016, *Guidance Statement: Risk Assessments*, Department of Environment Regulation Perth.
5. DWER 2020, *Guideline: Environmental Siting*, Department of Water and Environmental Regulation Perth.
6. DWER 2020, *Guideline: Risk Assessments*, Department of Water and Environmental Regulation Perth.

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY						
Application type						
Works approval	<input type="checkbox"/>					
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input type="checkbox"/>	
		Has the works approval been complied with?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Has time limited operations under the works approval demonstrated acceptable operations?			Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
		Environmental Compliance Report submitted?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Date Report received:				
Renewal	<input type="checkbox"/>	Current licence number:				
Amendment to works approval	<input type="checkbox"/>	Current works approval number:				
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L8793/2013/1			
		Relevant works approval number:		N/A	<input type="checkbox"/>	
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>	
Date application received		14/06/2021				
Applicant and Premises details						
Applicant name/s (full legal name/s)		Shire of Esperance				
Premises name		Myrup Truck Wash and Liquid Waste Facility				
Premises location		Lot 1885 on Plan 171656 Myrup Road, MYRUP WA 6450				
Local Government Authority		Shire of Esperance				
Application documents						
HPCM file reference number:		DWERDT464805				
Key application documents (additional to application form):		<ul style="list-style-type: none"> Application Form Myrup Truck Wash and Liquid Waste Facility – Pond Desludging - Response to DWER's Comments (5 July 2021) - Dredging Solutions Proposal - project 				

	description	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	<ul style="list-style-type: none"> • Pond desludging • 4 Trees removal with machinery 	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 61: Liquid Waste Facility Premises on which liquid waste produced on others premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	15,500 tonnes or more per year	<i>No change</i>
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: If N/A explain why?
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A

in relation to this proposal?		
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office: South Coast
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: P1 / P2 / P3 / N/A Are the proposed activities/landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act xxxx</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"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Classification: N/A Date of classification: N/A