



Department initiated Amendment

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

Licence Number	L8889/2015/1
Licence Holder	Eastern Metropolitan Regional Council
File Number	DER2018/000777-1
Premises	Red Hill Waste Management Facility Toodyay Road, Red Hill 6056 Legal description – Lot 1 on Diagram 15239, Lot 2 on Diagram 68630, Lot 11 on Diagram 69105 and Lot 12 on Deposited Plan 26468 As defined by the Premises maps attached to the Revised Licence
Date of Report	26 November 2021
Decision	Revised licence granted

**MANAGER WASTE INDUSTRIES
REGULATORY SERVICES**

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

Table of Contents

1. Decision summary	3
2. Consultation	3
3. Conclusion	3
3.1 Summary of amendments.....	3

1. Decision summary

On 22 October 2021, the Minister for Environment made a determination on a third party appeal (Appeal number 55 of 2020) against a licence amendment dated 4 November 2020, which authorised the shredding of treated power poles within the Class IV landfill cell. The appellant's key concern related to potentially contaminated dust generated by shredding power pole waste having the potential to pollute rainwater tanks and food gardens at nearby residential homes.

In making the determination the Minister determined to allow the appeal to the extent that the licence be amended as follows:

- amendment of Condition 5 (Table 3) to require that the waste be wet down during and prior to shredding of power poles, to mitigate the generation of dust particle emissions during the activity; and
- addition of requirements to carry-out an operational dust monitoring program over a representative period of time, to verify the adequacy of dust controls proposed by the licence holder.

Changes have been made to align licence conditions with the Minister's recommendations in accordance with section 110 of the *Environmental Protection Act 1986* (EP Act). These changes are summarised in Table 1.

As the amendment is given effect to an appeal decision, no further risk assessment to justify these changes is required/provided within this Decision Report.

2. Consultation

The Licence Holder was provided with the draft Decision Report on 11 November 2021. The comment period was waived by the Licence Holder on 25 November 2021.

3. Conclusion

Based on this Decision Report, the Delegated Officer has determined that an amended licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

3.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised licence as part of the amendment process.

Table 1: Summary of licence amendments

Condition no.	Proposed amendments
Definitions	Definitions of AS/NZS 3580.9.3, AS/NZS 3580.9.6 and AS/NZS 3580.9.15 added.
Definitions	Definitions for PM ₁₀ and TSP
Definitions	Definition for quarterly period
5	Requirement that the power pole waste be wet down during and prior to shredding.

Condition no.	Proposed amendments
40	<p>Requirement to undertake ambient air monitoring during shredding activities using a High Volume Air Sampler to determine the concentration of PM₁₀, Total Suspended Particulates (TSP) and heavy metal contents to assess the potential for human health impacts due to inhalation.</p> <p>The nearest receptors are to the east and south of the premises and prevailing winds during November to March are westerlies and south westerlies. As most receptors downwind of the site during the warmer months are to the east, a monitoring location on the eastern boundary between the shredder and receptors would be most suitable.</p> <p>The department considers the use of a High Volume Sampler(s) configured for PM₁₀ and TSP sampling to determine the concentration of PM₁₀, TSP and metals (including arsenic) in ambient air appropriate for the assessment of health impacts.</p> <p>For ambient air sampling, the department has determined that a 1 in 6 day sampling regime for a minimum of twelve months is adequate to obtain representative data. The 1 in 6 day regime is consistent with the sampling requirements in section 7.7. of AS/NZS 3580.9.3: <i>Determination of suspended particulate matter—Total suspended particulate matter (TSP) - High volume sampler gravimetric method.</i></p> <p>The results received from the initial 12-month period will be reviewed to verify the adequacy of dust controls outlined in the licence and to determine whether additional dust mitigation measures are needed. The potential to extend ambient air monitoring requirements will also be reviewed at this time.</p>
41	<p>Requirement that all ambient air samples must be analysed by laboratories with current NATA accreditation for the analysis specified.</p>
42	<p>The addition of quarterly ambient monitoring reports to be prepared and submitted to DWER.</p> <p>Respective reports are to include an interpretive summary against relevant assessment levels as published in <i>Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (Environment Protection Authority NSW, 2016)</i></p>