



<b>Licence Holder</b>	Boral Resources (W.A.) Ltd
<b>ACN</b>	008 686 904
<b>Licence Number</b>	L6265/1983/8
<b>File Number:</b>	DEC1384
<b>Premises</b>	Boral Asphalt 90 McDowell Street WELSHPOOL WA 6106  Lot 43 on Plan 3217 Certificate of Title Volume 1798 Folio 792
<b>Date of amendment</b>	21 March 2017

## Amendment

The Chief Executive Officer (CEO) of the Department of Environment Regulation (DER) has amended the above licence in accordance with section 59 of the *Environmental Protection Act 1986* as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act and follows.

Date signed: 21 March 2017

**Caron Goodbourn**

**A/Manager Licensing – Industry Regulation (Process Industries)**

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

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

The following DER Guidance Statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015)
- *Guidance Statement: Setting Conditions* (October 2015)
- *Guidance Statement: Decision Making* (November 2016)
- *Guidance Statement: Risk Assessment* (November 2016)

## Amendment Description

This amendment was initiated by Boral Resources (W.A.) Ltd who lodged an application for a licence amendment on 10 February 2017 in relation to L6265/1983/8 for Boral Asphalt, located at 90 McDowell Street in Welshpool.

The Licence Holder requested amendments to the following aspects of the licence and for the reasons outlined below:

Following an amendment on 20 November 2015, Boral Asphalt has installed and commissioned a wastewater treatment plant for the treatment of wastewater originating from the on-site wash-bay. The wastewater treatment system ensures that wastewater from the on-site wash-bay is treated such that the Total Recoverable Hydrocarbons are less than 15 mg/L, Total Suspended Solids are less than 30 mg/L and Surfactants are less than 5 mg/L.

This licence amendment enables the use of the new wastewater treatment plant and the subsequent discharge of the wastewater to land.

Some administrative amendments have also been made to correct some typographical errors in the licence.

## Decision

The Delegated Officer has granted the amendments sought by the Licence Holder. In determining to grant the amendment, the Delegated Officer has imposed additional regulatory controls on the licence, as outlined below:

The wastewater treatment plant was designed to ensure that wastewater quality was controlled for a pH between 4 and 10, Total Recoverable Hydrocarbons (TRH) less than 15 mg/L and Methylene Blue Active Substances (MBAS), as a measurement for surfactants, less than 5 mg/L. The Licence Holder stated that the system would be operated as a batch discharge system and prior to discharge the wastewater would be monitored by means of an automatic monitor for pH and TRH through colourimetric analyses for MBAS. Quarterly sampling and analyses by a NATA accredited laboratory is proposed by the Licence Holder to ensure that the results of “in-house” sampling are accurate enough to ensure compliance with the design specifications.

The Delegated Officer is of the opinion that this sampling regime should ensure that no discharge to the environment occurs that would cause pollution and create contamination of the underlying soil. As such, conditions will be added to the licence to allow the discharge of treated wastewater as long as it complies with the abovementioned concentrations and is monitored as per the proposal by the Licence Holder. Results of the sampling will be required to be submitted with the Annual Environmental Report.

Licence Holder controls for the wastewater treatment plant are conditioned on the licence to ensure that the discharge of wastewater to the environment will be controlled to ensure no unacceptable environmental risk occurs.

## Amendment History

Table 1 provides the amendment history for L6265/1983/8.

**Table 1: Licence amendments**

Instrument	Issued	Amendment
L6265/1983/8	13 February 2015	Amendment to convert the licence to the REFIRE condition set.
L6265/1983/8	20 November 2015	Licence Holder Initiated amendment to include the ability to process Reclaimed Asphalt Pavement and to allow the construction of a wastewater treatment plant for the treatment of wastewater from the washbay prior to discharge to the environment.
L6265/1983/8	29 April 2016	Amendment by notice to change the licence expiry date to 2 August 2023
L6265/1983/8	21 March 2017	Amendment Notice 1 Licence Holder initiated amendment to allow the discharge of treated wastewater from the wastewater treatment plant.

## Licence Holder's Comments

The Licence Holder was provided with the draft Amendment Notice on 14 March 2017. The Licence Holder submitted on 15 March 2017 a signed 21 day waiver form without further comments on the draft Amendment Notice.

## Amendment

1. Condition 4.1.1 of the licence is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

- 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 5.1.1(d)~~ 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.

2. Condition 4.2.1 of the licence is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

4.2.1 ~~The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 5 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 form <sup>1</sup>
-	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	<del>Particulates</del> <u>Point source emissions to air monitoring results for Particulates, NOx and CO</u>	None specified
<del>5.1.3</del> <u>3.3.1</u>	Compliance	Annual Audit Compliance Report (AACR) <u>Form published on DER's website</u>
<del>5.1.4</del> <u>4.1.4</u>	Complaints summary	None specified

Note 1: ~~Forms are in Schedule 2~~

3. The licence is amended by the deletion of the following conditions 5.1, 5.1.1, 5.2, 5.2.1 and 5.2.2 :

**5 Works**

**5.1 General works conditions**

- 5.1.1 *The Licensee shall construct the works in accordance with the documentation detailed in Table 1.2.1:*

<b>Table 5.1.1: Construction Requirements<sup>1</sup></b>		
<b>Document</b>	<b>Parts</b>	<b>Date of Document</b>
<i>Welshpool Asphalt, Wastewater Treatment Improvement Proposal authored by Boral Resources (WA), March 2015, Version 1.1</i>	<i>All, including drawings and appendices</i>	<i>10 April 2015</i>

*Note 1: Where the details and commitments of the documents listed in condition 5.1.1 are inconsistent with any other condition of Section 5 of this licence, the conditions of this section of licence shall prevail.*

**5.2 Reporting**

- 5.2.1 *The Licensee shall submit a compliance document to the CEO, following the construction of the works.*

- 5.2.2 *The compliance document shall:*

- (a) *certify that the works were constructed in accordance with the conditions of Section 5 of this licence;*  
*be signed by a person authorised to represent the Licensee and contain the printed name and position of that person within the company.*

4. The licence is amended by the insertion of the following conditions:

**2.4 Point source emissions to land**

- 2.4.1 *The Licensee shall ensure that where wastewater is emitted to land from the emission point in Table 2.4.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this Licence.*

<b>Table 2.4.1: Emission points to land</b>		
<b>Emission point reference and location on Map of emission points</b>	<b>Emission point</b>	<b>Source, including any abatement</b>
L1	<i>Wastewater treatment plant discharge point</i>	<i>Washbay water treated through the onsite wastewater treatment plant</i>

- 2.4.1.1 *The Licensee shall not cause or allow point source emissions to land greater than the limits listed in Table 2.4.2.*

<b>Table 2.4.2: Point source emission limits to land</b>			
<b>Emission point Reference</b>	<b>Parameter</b>	<b>Limit (including units)</b>	<b>Averaging period</b>
L1	pH	>4 and <10	Grab sample
	Surfactants	5 mg/L	
	Total Recoverable Hydrocarbons	15 mg/L	

**3.3 Monitoring of point source emissions to land**

3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table.

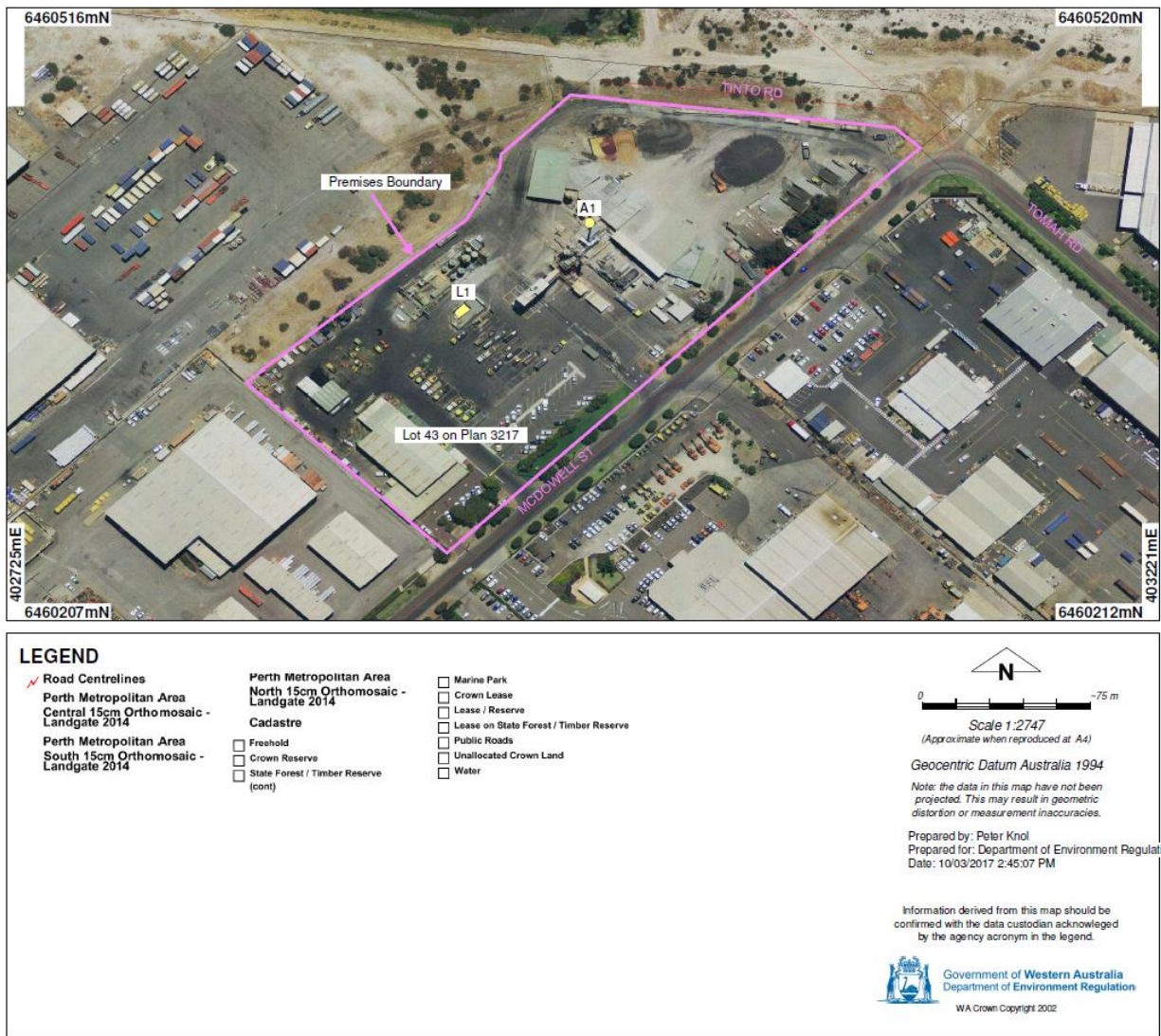
<b>Table 3.3.1: Monitoring of point source emissions to land</b>				
<b>Emission point reference</b>	<b>Parameter</b>	<b>Units</b>	<b>Averaging period</b>	<b>Frequency</b>
L1	pH	Numerical between 0-14	Grab sample	Quarterly And Every batch prior to discharge* <sup>1</sup>
	Surfactants	mg/L		
	Total Recoverable Hydrocarbons	mg/L		

\*<sup>1</sup> every batch to be sampled prior to discharge can be done using non-NATA accredited analysis methods

3.3.2 The Licensee shall ensure that the sampling undertaken as per condition 3.3.1 is done so in accordance with AS/NZS 5667.10 and that it is analysed by a laboratory that holds a current NATA accreditation for the sampling undertaken, unless otherwise stated.

3.3.3 The Licensee shall ensure that the quarterly wastewater monitoring as per condition 3.3.1 is undertaken at least 45 days apart.

5. The Premises Map in Schedule 1: Maps is replaced with the following map:



6 Schedule 2 is removed from the licence conditions.

## Appendix 1: Key Documents

	Document Title	In text ref	Availability
1	Licence L6265/1983/8 – Boral Resources (W.A.) Ltd – Boral Asphalt	L6265/1983/8	accessed at <a href="http://www.der.wa.gov.au">http://www.der.wa.gov.au</a>
2	Application for Amendment to Licence Approval Application Form		DER records (A1375597)
3	DER, July 2015. <i>Guidance Statement: Regulatory principles.</i> Department of Environment Regulation, Perth.	DER 2015a	accessed at <a href="http://www.der.wa.gov.au">http://www.der.wa.gov.au</a>
4	DER, October 2015. <i>Guidance Statement: Setting conditions.</i> Department of Environment Regulation, Perth.	DER 2015b	
5	DER, November 2016. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.	DER 2016b	
6	DER, November 2016. <i>Guidance Statement: Decision Making.</i> Department of Environment Regulation, Perth.	DER 2016c	