



Amendment Notice 1

Licence Number L71041997/12

Licence Holder Shire of Pingelly

Registered business address 17 Queen Street
PINGELLY WA 6308

Date of amendment 28 July 2017

Prescribed Premises Category 64: Putrescible landfill (Class II)

Premises Lot 308 on Plan 64585 (Crown Reserve 22955)
Great Southern Highway
PINGELLY WA 6308

Amendment

The Chief Executive Officer (CEO) of the Department of Environment Regulation has amended the above licence in accordance with section 59 of the *Environmental Protection Act 1986* as set out in this Amendment Notice.

Date signed: 28 July 2017

Stephen Checker

MANAGER LICENCING (WASTE 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.

This notice is limited only to an amendment for the temporary storage of a maximum 500 tyres at the Premises. No changes to the aspects of the original licence aside for the authorisation to operate the tyre storage area have been requested by the Licence Holder.

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: Land Use Planning* (October 2015)
- *Guidance Statement: Licence Duration* (November 2015)
- *Guidance Statement: Decision Making* (November 2016)
- *Guidance Statement: Risk Assessment* (November 2016)

Amendment Description

The Shire of Pingelly has applied for a licence amendment to allow the temporary storage of up to a maximum of 500 tyres at the landfill. The tyre storage area will comprise an area of 20m² with an earthen floor and bunds. The area will be bunded into three bays for the storage of tyres. The area will be 70m west of the gate house and 30m inside the northern boundary fence. The tyres storage area has been constructed.

The addition of Category 57 to the licence is required as the number of tyres requested to be temporarily stored is above the production and design capacity of 100 tyres or more for Category 57.

Table 1 below outlines the proposed changes to the licence.

Table 1: Proposed design or throughput capacity changes requested in amendment

Category	Current Design Throughput Capacity	Proposed Design Throughput Capacity	Description of proposed amendment
57	100	500	Temporary storage of a maximum 500 tyres

This Amendment Notice is as a result of a written request from the Shire of Pingelly for the inclusion of:

1. Approval via licence condition to operate a temporary tyre storage area; onto the Licence L7104/1997/12.

The Licence Holder does not propose construction of any additional infrastructure.

The proposed amendment of the Licence L7104/1997/12 is made by the Delegated Officer pursuant to section 59(1) (a) of the EP Act.

Location, environmental siting and potential receptors

Table 2 below lists the relevant sensitive land uses in the vicinity of the prescribed premises which may be receptors relevant to the proposed amendment.

Table 2: Receptors and distance from prescribed premises

Residential and sensitive premises	Distance from Prescribed Premises
Residential receptor	800 m north

Table 3 below lists the relevant environmental receptors in the vicinity of the prescribed premises which may be receptors relevant to the proposed amendment.

Table 3: Environmental receptors and distance from prescribed premises

Environmental receptors	Distance from Prescribed Premises
Threatened Flora	300m east and 450m north-east
Threatened Fauna	800m north
Avon River South	700m north-east

Risk Assessment

Table 4 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. Both tables identify whether the emissions present a material risk to human health or the environment, requiring regulatory controls.

Table 4 - Risk assessment for the proposed amendments under Operation

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	
Source/Activities	Potential Emissions	Potential Receptors	Potential Pathway	Potential Adverse Impacts					
Category 64 – Class II putrescible landfill	Operation of the temporary tyre storage area (TA)	Dust: associated with operation of the TA.	Residential sensitive receptors: The closest sensitive residential receptor is approximately 800m north of the Primary activity.	Air/ Wind: Dust generated by light and heavy vehicles at the Premises	Elevated particulates (PM ₁₀ and PM _{2.5}) can impact health and amenity of sensitive receptors	Slight	Unlikely	Low	Fugitive dust emissions are not expected to significantly impact sensitive premises from additional light and heavy vehicle movement on site associated with the operation of the TA. Vehicle speed is slow due to the size of the premises. The Licence Holder currently has licence condition 2.6.1 on the licence which regulates fugitive dust emissions and the Delegated Officer does not consider additional regulatory controls are required given the licence amendment application risk assessment.
		Nosie: associated with operation of the TA.	Residential sensitive receptors: The closest sensitive residential receptor is approximately 800m north of the Primary activity.	Air/ Wind: Noise generated by light and heavy vehicles at the Premises	Amenity to nearby noise sensitive receptors	Slight	Unlikely	Low	Noise emissions are not expected to significantly impact sensitive premises from additional light and heavy vehicle movement associated with operation of the TA. The Licence Holder has an ongoing requirement to comply with the Prescribed standard for noise emissions, as set out in the <i>Environmental Protection (Noise) Regulations 1997</i> .
		Dust -: Particulate matter (Ash) from burning tyres.	Residential sensitive receptors: The closest sensitive residential receptor is	Air/ Wind: ash produced from burning	Elevated particulates (PM ₁₀ and PM _{2.5}) can impact health and	Minor	Unlikely	Medium	Particulate dust emissions are not expected to significantly impact sensitive premises if tyres did burn. 9am winds are predominately from the east

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			approximately 800m north of the Primary activity.	tyres	amenity of sensitive receptors				<p>while 3pm winds are predominantly from the west and south west. The nearest sensitive receptor is 800m north.</p> <p>Current licence condition 1.3.11 does not allow the burning of any waste except greenwaste while condition 1.3.13 requires appropriate procedures are in place at the Premises so that any unauthorised fire is promptly extinguished while condition 1.3.14 requires the Licence Holder to submit a report to DER within 14 days of any unauthorised fire. The Delegated Officer does not consider additional regulatory controls are required given the licence amendment application risk assessment.</p>
		<p>Leachate: infiltration from the operation of the TA</p>	<p>Groundwater Local soils within the Premises</p>	<p>Land and groundwater – direct infiltration into soil and groundwater.</p>	<p>Alteration to soil and /or vegetation.</p> <p>Alteration to groundwater that has the potential to disrupt ecological processes of groundwater with excess metals, heavy metals, hydrocarbons and nutrients</p>	Slight	Rare	Low	<p>Tyres are classed as inert waste which by chemical virtue does not readily decompose to produce leachate. Tyres will only be stored temporarily at the Premises which further reduces the ability to generate leachate.</p> <p>The Delegated Officer considers one additional regulatory control is required to reduce the ability of fire to ignite the tyres in that vegetation is restricted from growing in the tyre storage area.</p>

Decision

The Delegated Officer has determined that an amendment be made to the Licence conditions to allow the operation of the temporary tyre storage area at the premises. The amendment notice incorporates amending the existing licence to allow operation of the temporary tyre storage area. No other changes are required on the licence.

The Delegated Officer considers the amended condition as appropriate and in line with other premises as assessed across the State, and in accordance with DER's regulatory approach.

Category 57 has been amended onto the licence.

Licence condition 1.3.1 has been amended to include inert waste type 2 (tyres) to be accepted at the Premises.

Licence condition 1.3.3 has been amended to include inert waste type 2 (tyres) processing at the Premises.

Licence condition 3.6.1 has been amended to include inert waste type 2 (tyres) to be monitored at the Premises.

The Delegated Officer has considered DER's *Guidance Statement: Regulatory Principles*, *Guidance Statement: Setting Conditions* and *Guidance Statement: Risk Assessment* in granting this amendment, and does not consider that this amendment will impact the risk profile of the premises, which is currently considered as Low.

Amendment History

Instrument	Issued	Amendment
L7104/1997/12	29/4/2016	Licence amendment for the extension of the Licence duration to 19/07/2034.
L7104/1997/12	TBC	Licence amendment for the operation of the temporary tyre storage area.

Licence Holder's Comments

The Licence Holder was provided with the draft Amendment Notice on 5 July 2017. The Licence holder did not provide any comments on the draft Amendment Notice within the 21 day representation period.

Amendment

1. The licence is amended with the inclusion of Category 57 for the Prescribed Premises Category by the insertion of the red text shown in the below:

Prescribed Premises Category

Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Premises production or design capacity
64	Class II or III putrescible landfill site: premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer and as amended from time to time) is accepted for burial.	20 tonnes or more per year	Less than 5 000 tonnes per year
57	Used tyre storage (general): premises (other than premises within category 56) on which used tyres are stored	100 tyres or more	Less than 500 tyres

2. Condition 1.3.1 of the licence is amended by the insertion of the red text shown in the below:

- 1.3.1 The Licensee shall only allow waste to be accepted onto the Premises if:
- it is of a type listed in Table 1.3.1;
 - the quantity accepted is below any limit listed in Table 1.3.1; and
 - it meets any specification listed in Table 1.3.1.

Waste	Quantity Limit	Specification
Clean fill	Combined total of up to 400 tonnes per year	None specified
Inert Waste Type 1		None specified
Inert Waste Type 2		None specified
Putrescible Waste (including green waste)		None specified
Special Waste Type 1 (Asbestos waste)		None specified
Special Waste Type 2 (Biomedical waste)		None specified
Waste oil		None specified
Scrap metal		None specified
Liquid waste		Controlled Waste Category 1.02

3. Condition 1.3.3 of the licence is amended by the insertion of the red text shown in the below:

1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.3.3 and in accordance with any process limits described in that Table.

Table 1.3.3: Waste processing		
Waste type	Process	Process Limits
Clean fill	None specified	None specified
Inert Waste Type 1	None specified	None specified
Inert Waste Type 2	Receipt, handling, storage prior to re-use off-site	<ul style="list-style-type: none"> Less than 500 units to be stored at the tyre storage area as depicted in Schedule 1 at the premises. Ensure the tyre storage area depicted in Schedule 1 is kept clear of vegetation at all times.
Putrescible waste (not including green waste)	Place waste within a defined trench or within an area enclosed by earthen or other bunds	None specified
Green waste	Storage prior to mulching, composting or burning	See condition Error! Reference source not found.
Special Waste Type 1 (Asbestos waste)	Disposal in a separate trench designated for the disposal of Special Waste Types 1 and 2	See condition Error! Reference source not found.
Special Waste Type 2 (Biomedical waste)		
Waste oil	Stored in a self bunded oil receptacle	None specified
Scrap metal	Stored in a designated area	None specified
Liquid waste	Placed in designated pond	None specified

4. Condition 3.6.1 of the licence is amended by the insertion of the red text shown in the below:

3.6.1 The Licensee shall undertake the monitoring specified in Table 3.6.1.

Table 3.6.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Clean fill, Inert Waste Type 1, Inert Waste Type 2, Putrescible Waste (including green waste), Special Wastes Type 1 and 2 and liquid waste	Estimated tonnes	N/A	Estimated per annum
Waste Outputs	Waste oil, scrap metal	Estimated tonnes	N/A	Estimated per annum

Appendix 1: Key Documents

	Document Title	In text ref	Availability
1	Licence L7104/1997/12 – Pingelly Waste Management Facility	L7104/1997/12	accessed at http://www.der.wa.gov.au
2	DER, July 2015. <i>Guidance Statement: Regulatory principles.</i> Department of Environment Regulation, Perth.	DER 2015a	accessed at http://www.der.wa.gov.au
3	DER, October 2015. <i>Guidance Statement: Setting conditions.</i> Department of Environment Regulation, Perth.	DER 2015b	
4	DER, August 2016. <i>Guidance Statement: Licence duration.</i> Department of Environment Regulation, Perth.	DER 2016a	
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	

Schedule 1: Location map

