



Amendment Notice 2

Licence Number L8651/2012/1

Licence Holder Waroona Resources Pty Ltd

ACN 169 962 421

File Number: 2012/000861-1

Premises Premium Waste Management
Lot 15 on Deposited Plan 59265 Richard Road
WAROONA WA 6215

Date of Amendment 15 August 2018

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act) 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.

Date signed: 15 August 2018

Jarrod Abrahams

A/MANAGER WASTE INDUSTRIES

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

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
ACN	Australian Company Number
Amendment Notice	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	Waroona Resources Pty Ltd
m ³	cubic metres
Minister	the Minister responsible for the EP Act and associated regulations

Term	Definition
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>

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 Category 63. No changes to the aspects of the original Licence relating to Category 62 have been requested by the Licence Holder.

The following 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 (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*

Amendment description

On 7 March 2018, Waroona Resources Pty Ltd submitted an application for a licence amendment for their Premium Waste Management (PWM) premises in Waroona (L8651/2012/1). The amendment seeks to remove the requirement under Condition 1.2.1 and Table 1.2.1 for asbestos contaminated soil to be 'packaged in sealed containers', so that larger loads of contaminated soil can be accepted and buried within the premises' Class I inert landfill site. The application is supported by additional information including an updated Asbestos Management Plan and map of the designated asbestos cell area within the landfill.

Process Description

Premium Waste Management (PWM) commenced operating in 2012 as an inert landfill, utilising a void progressively created by a sand quarrying operation. The sand mining operations are still active, and as further voids are created they are backfilled with inert waste material, as per the conditions of the active licence.

PWM currently hold a licence for Category 63 (Class I Inert landfill) and Category 62 (solid waste depot) at the premises. PWM are licensed to accept green waste, Inert waste Type I, Inert Waste Type 2, Special Waste Type 2 (asbestos), Clean fill and contaminated solid waste that meets Class I criteria. Asbestos material and asbestos contaminated soil received at the premises are currently required to be wrapped and sealed.

Proposed changes to processing

The current licence requires that asbestos contaminated soil accepted under Condition 1.2.1 and Table 1.2.1 be 'packaged in sealed containers' prior to disposal. Waroona Resources Pty Ltd would like to amend their licence to remove this requirement to allow for larger loads of asbestos contaminated soil to be disposed of within the landfill area, due to the increasing demand that has resulted from stricter testing of waste loads. Wrapping or containing large loads of contaminated soil is not deemed practical, and also provides safety issues at disposal.

For the proposed large contaminated soil loads the intention is to receive these loads in a damp state in a tarped truck or bin, and to wet them down again prior to tipping. The material would be tipped loose into the Class I inert landfill (currently Cell 4) on the premises, and then covered with clean sand or inert waste to seal it off. During tipping the existing fixed sprinklers would be utilised on the load, to wet down the material as it is being tipped. A designated dozer will be utilised to cover the material daily to avoid the potential release of asbestos fibres.

Waroona Resources Pty Ltd have advised that they have sufficient landfill cell space available to cater for the additional contaminated soil throughput. In June 2016 a licence amendment was approved by the Department for the acceptance of 30,000 tonnes of unwrapped asbestos contaminated waste from the Yarloop and Waroona bush fire. This material never arrived at the premises, therefore the space has remained available. Landfill Cell 4 is currently utilised for the wrapped asbestos contaminated waste, and is proposed to accept the asbestos contaminated soil loads. On completion of landfilling, Cell 4 is proposed to be rehabilitated with vegetation.

Table 2 below outlines the proposed changes to the Licence

Table 2: Proposed throughput capacity changes

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
63	150,000 tonnes per annum	150,000 tonnes per annum	No change
62	200,000 tonnes per annum	200,000 tonnes per annum	No change

Amendment history

Table 3 provides the amendment history for L8651/2012/1.

Table 3: Licence amendments

Instrument	Issued	Amendment
L8651/2012/1	16/08/2012	Licence issued
L8651/2012/1	21/08/2014	Transfer from Sidham Pty Ltd to Waroona Resources Pty Ltd
L8651/2012/1	26/11/2015	Licence amendment - addition of transfer station (category 62) and increase design capacity and production capacity
L8651/2012/1	9/06/2016	Licence amendment - variation of asbestos receipt conditions for Waroona and Yarloop fire impacted waste
L8651/2012/1	29/04/2016	Amendment Notice Amendment of licence expiry date to 19 August 2036
L8651/2012/1	16/02/2017	Amendment Notice 1 Revision of definition for "non-biodegradable plastics".
L8651/2012/1	16/08/2018	Amendment Notice 2 Amendment to requirements of acceptance of asbestos contaminated soil

Location and receptors

Table 4 below lists the relevant sensitive land uses in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 4: Receptors and distance from activity boundary

Residential and sensitive premises	Distance from Prescribed Premises
Residential premises	The nearest residence is approx. 1km north of the premises, on the adjoining property.

Table 5 below lists the relevant environmental receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 5: Environmental receptors and distance from activity boundary

Environmental receptors	Distance from Prescribed Premises
Conservation Category Wetland (CCW)	Two CCW are located on the adjoining property to the east of the premises. They are approximately 150m from the premises boundary.

Risk assessment

Table 6 below describe 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 public health or the environment, requiring regulatory controls.

Table 6: Risk assessment for proposed amendments during operation

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts					
Cat 63 Class I inert landfill site	Acceptance of asbestos contaminated soil	Dust: associated with handling asbestos contaminated soils	Residence approx. 1km north of the Premises	Air	Health and amenity impacts	Major	Possible	High	<p>There is the potential for asbestos fibres to enter the environment where asbestos waste and contaminated soil is not wrapped or processed correctly. To prevent the release of asbestos fibres from unwrapped contaminated soil loads received on the premises, the Licensee has advised that loads will be received damp, and wetted prior to, and during, tipping into the designated asbestos cell. The material will then be covered. The Delegated Officer has considered the proposal and the overall risk is considered high.</p> <p>The licence already comprises specifications for asbestos waste acceptance and processing requirements. Additional conditions on the licence to reduce the potential for asbestos fibre release from the acceptance of contaminated soil loads are considered suitable to address the associated potential risks. This includes requirements to maintain the material in a damp condition during tipping/unloading, and to cover the material as soon as practicable with a layer of material at least 300mm deep and by end of the working day with uncontaminated fill 1000mm thick. These conditions are consistent with similar premises who received this material.</p> <p>The Delegated Officer has considered the proposed licence conditions to manage potential emissions and the overall risk is considered medium.</p>

Consequence and likelihood of risk events

A risk rating will be determined for risk events in accordance with the risk rating matrix set out in Table 7 below.

Table 7: Risk rating matrix

Likelihood	Consequence				
	Slight	Minor	Moderate	Major	Severe
Almost certain	Medium	High	High	Extreme	Extreme
Likely	Medium	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Medium	Medium	Medium	High
Rare	Low	Low	Medium	Medium	High

DWER will undertake an assessment of the consequence and likelihood of the Risk Event in accordance with Table 8 below.

Table 8: Risk criteria table

Likelihood		Consequence		
The following criteria has been used to determine the likelihood of the Risk Event occurring.		The following criteria has been used to determine the consequences of a Risk Event occurring:		
			Environment	Public health* and amenity (such as air and water quality, noise, and odour)
Almost Certain	The risk event is expected to occur in most circumstances	Severe	<ul style="list-style-type: none"> onsite impacts: catastrophic offsite impacts local scale: high level or above offsite impacts wider scale: mid-level or above Mid to long-term or permanent impact to an area of high conservation value or special significance[^] Specific Consequence Criteria (for environment) are significantly exceeded 	<ul style="list-style-type: none"> Loss of life Adverse health effects: high level or ongoing medical treatment Specific Consequence Criteria (for public health) are significantly exceeded Local scale impacts: permanent loss of amenity
Likely	The risk event will probably occur in most circumstances	Major	<ul style="list-style-type: none"> onsite impacts: high level offsite impacts local scale: mid-level offsite impacts wider scale: low level Short-term impact to an area of high conservation value or special significance[^] Specific Consequence Criteria (for environment) are exceeded 	<ul style="list-style-type: none"> Adverse health effects: mid-level or frequent medical treatment Specific Consequence Criteria (for public health) are exceeded Local scale impacts: high level impact to amenity
Possible	The risk event could occur at some time	Moderate	<ul style="list-style-type: none"> onsite impacts: mid-level offsite impacts local scale: low level offsite impacts wider scale: minimal Specific Consequence Criteria (for environment) are at risk of not being met 	<ul style="list-style-type: none"> Adverse health effects: low level or occasional medical treatment Specific Consequence Criteria (for public health) are at risk of not being met Local scale impacts: mid-level impact to amenity
Unlikely	The risk event will probably not occur in most circumstances	Minor	<ul style="list-style-type: none"> onsite impacts: low level offsite impacts local scale: minimal offsite impacts wider scale: not detectable Specific Consequence Criteria (for environment) likely to be met 	<ul style="list-style-type: none"> Specific Consequence Criteria (for public health) are likely to be met Local scale impacts: low level impact to amenity
Rare	The risk event may only occur in exceptional circumstances	Slight	<ul style="list-style-type: none"> onsite impact: minimal Specific Consequence Criteria (for environment) met 	<ul style="list-style-type: none"> Local scale: minimal to amenity Specific Consequence Criteria (for public health) met

[^] Determination of areas of high conservation value or special significance should be informed by the *Guidance Statement: Environmental Siting*.

* In applying public health criteria, DWER may have regard to the Department of Health's *Health Risk Assessment (Scoping) Guidelines*.

"onsite" means within the Prescribed Premises boundary.

Decision

The Amendment Application was submitted for changes to authorise the acceptance of asbestos contaminated soil at the premises that isn't required to be packaged or wrapped. The amendment will not result in any changes to the Premises' throughput, however there are potential emissions from allowing soil material to be accepted un-wrapped or un-sealed in a container. Having considered the proposed Amendment to the Licence and proposed controls, the Delegated Officer has determined that the changes to waste acceptance on the premises will not result in emissions which are unacceptable to public health or the environment.

Waste acceptance conditions will be included on the licence to mitigate and reduce the potential for emissions from the acceptance of unwrapped, asbestos contaminated soils. There are no other changes to the Licence.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 15 August 2018. The Licence Holder accepted the proposed amendments on 15 August 2018 and waived the 21 day comment period (DWER Record A1711733).

Amendment

1. Definitions of the Licence are amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

~~“CEO” means Chief Executive Officer of the Department of Environment Regulation;~~

~~“CEO” for the purpose of correspondence means;
Manager, Licensing (Waste Industries)
Department of Environmental Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Fax: (08) 9333 7550
Email: grswanbooragoon@der.wa.gov.au~~

“CEO” means Chief Executive Officer.

“CEO” for the purposes of notification means:

Director General
Department Administering the Environmental Protection Act 1986
Locked Bag 33 Cloisters Square
PERTH WA 6850
info@dwer.wa.gov.au

“Damp” means moist to the touch;

2. Condition 1.2.1, Table 1.2.1 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:

Table 1.2.1: Waste acceptance		
Waste type	Quantity limit tonnes/year	Specification ¹
Greenwaste	200,000	None specified
Inert Waste Type 1		None Specified
Inert Waste Type 2		(a) Tyres and non-biodegradable plastic only
Special Waste Type 1 (excluding fire waste)		(b) Includes cement bonded asbestos <u>and asbestos contaminated soils only</u> . No fibrous asbestos shall be accepted;
		(c) <u>Cement bonded asbestos</u> shall be wrapped securely in plastic to prevent asbestos fibres entering the environment; or in the case of asbestos contaminated soil, shall be damp and packaged in sealed containers.
Clean Fill		(d) <u>Asbestos contaminated soil, shall be received in a damp state.</u>
Contaminated solid waste		None specified
Fire waste	(e) Supported by documentation that demonstrates compliance with the acceptance criteria for an inert Class I landfill in accordance with the Landfill Definitions.	
	(f) Acceptance is approved for a maximum of 12 months from the amendment date of this licence;	
	(g) Waste must be wetted down and tarped or enclosed in a bin prior to acceptance;	
	(h) Waste must meet the acceptance criteria for an inert Class I landfill in accordance with the Landfill Definitions prior to acceptance, and be supported by documentation that demonstrates compliance with the same.	

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

3. Condition 1.2.3, Table 1.2.2 of the Licence is amended by the insertion of the red text shown in underline below.

Table 1.2.2: Waste processing		
Waste type	Process(es)	Process limits^{1, 2}
Greenwaste	Receipt, handling, mulching and storage (category 62)	(a) All greenwaste shall be stored and mulched on the Transfer Station Hardstand in windrows.
Inert Waste Type 1, Inert Waste Type 2 and Clean Fill	Receipt, handling, mechanical sorting, hand sorting, screening and storage (category 62)	<p>(b) All screening, sorting and storage of waste shall occur on the Transfer Station Hardstand;</p> <p>(c) Putrescible wastes and other contaminants (paper, plastics³, glass, metal and timber, etc.) received with Inert Waste Type 1 shall be recovered and segregated for recycling, or otherwise segregated for removal from the Premises in accordance with condition 1.2.2;</p> <p>(d) A maximum of 100 tyres shall be stored at any one time;</p> <p>(e) Stockpiles of waste shall be no more than 5 metres high;</p> <p>(f) Screening and mulching equipment shall only be operated between 7 am to 4.45pm Monday to Friday and 7am to 12pm Saturday;</p> <p>(g) Water sprinklers shall be installed and operated on dust emission points on screening and mulching equipment;</p> <p>(h) No asbestos or ACM shall be accepted for storage, crushing or screening activities;</p> <p>(i) Incoming loads intended for storage, crushing and/or screening activities shall be inspected for evidence of asbestos and the driver interviewed about the waste to ensure there is low risk of asbestos contamination prior to acceptance;</p> <p>(j) Incoming loads intended for storage, crushing and/or screening activities will be further inspected during and after unloading to ensure there is no evidence of hidden asbestos contamination;</p> <p>(k) If evidence of asbestos contamination is noted as a result of the inspections in (j), the load shall be wetted down and immediately re-loaded for rejection, or removed for appropriate landfilling in accordance with this Licence.</p>
All waste types	Disposal of waste by landfilling (category 63)	<p>(l) Disposal of waste by landfilling shall only take place within the landfill area shown on 'Map 2: Landfill Area Map' in Schedule 1;</p> <p>(m) The separation distance between the base of the landfill and the highest groundwater level shall not be less than 2m;</p> <p>(n) The internal separation distance between landfilling activities and the boundary of the premises shall not be less than 35 metres;</p> <p>(o) Maximum of 150 000 tonnes of waste to be disposed of by landfilling per annual period;</p> <p>(p) Landfill machinery only to be operated between 7 am to 4.45pm Monday to Friday and 7am to 12pm Saturday.</p>

Table 1.2.2: Waste processing		
Waste type	Process(es)	Process limits ^{1, 2}
Special Waste Type 1 (excluding fire waste)	Receipt, handling, storage and disposal of waste by landfilling (category 63)	<p>(q) <u>Special Waste Type I is only to be received at the Class I inert landfill activity areas on the premises (shown as the landfill cells on the Landfill Area Map in Schedule 1);</u></p> <p>(r) <u>For wrapped asbestos/ACM</u>, waste shall be disposed in landfill within 24 hours of receipt, and where temporarily stored, storage shall occur in sealed and secure containers;</p> <p>(s) <u>For asbestos contaminated soil, material is to be:</u></p> <ul style="list-style-type: none"> • <u>disposed of immediately;</u> • <u>wetted down prior to and during disposal;</u> • <u>and</u> • <u>covered in accordance with the cover requirements specified in Condition 1.2.5.</u> <p>(t) Waste shall only be disposed of into a designated asbestos disposal area within the landfill;</p> <p>(u) Waste shall be unloaded from the delivery vehicle directly into its final resting position in such a manner as to avoid the damage of plastic wrapping/containment and the generation of dust or release of asbestos fibres;</p> <p>(v) <u>Unloading shall not occur if wind conditions prevent safe unloading without the release of dust or asbestos fibres;</u></p> <p>(w) Waste shall not to be deposited within 2m of the final tipping surface of the landfill; and</p> <p>(x) No subsequent works shall be carried out on the landfill that could lead to a release of asbestos fibres.</p>
Fire waste	Receipt, handling, storage and disposal of waste by landfilling	<p>(y) Vehicles carrying fire waste must be directed to the fire waste disposal area for disposal, and must keep their loads tarped and covered until unloading commences;</p> <p>(z) Waste shall be unloaded from the delivery vehicle directly into its final resting position in such a manner as to avoid the generation of dust or release of asbestos fibres, and in the presence of a water cart which is to be used for dust suppression as appropriate;</p> <p>(aa) Unloading shall not occur if wind conditions prevent safe unloading without the release of dust or asbestos fibres;</p> <p>(bb) Immediately after unloading, fire waste must be wet down prior to covering;</p> <p>(cc) Fire waste is not deposited within 2m of the final tipping surface of the landfill;</p> <p>(dd) An undisturbed separation distance of at least 2m between the base of the fire waste disposal area and the highest level of the groundwater is maintained; and</p> <p>(ee) No subsequent works shall be carried out on the Premises that could lead to a release of asbestos fibres.</p>

Note 1: Requirements for landfilling tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*

Note 2: Additional requirements for the acceptance and landfilling of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*

Note 3: With the exception to non-biodegradable plastics (Inert Waste Type 2) which are permitted to be landfilled.

Appendix 1: Key documents

	Document title	Availability
1	Amendment Application L8651/2012/1, received from Waroona Resources Pty Ltd, 8/3/2018	DWER Record #: A1630764
2	Additional Information via email, received 1/8/2018	DWER Record #: A1709584
5	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	accessed at www.dwer.wa.gov.au
6	DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	
8	DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	
9	DER, February 2017. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	