



Licence Number	L8770/2013/1
Licence Holder	Environex International Pty Ltd
ACN	159 877 117
File Number:	2013/003735
Premises	Environex International Pty Ltd Part Lot 310 on Plan 28561 Motivation Drive WANGARA WA 6065
Date of Amendment	29 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: 29 August 2018

Paul Byrnes

MANAGER, PROCESS INDUSTRIES

REGULATORY SERVICES (ENVIRONMENT)

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
Amendment Notice	refers to this document
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
Condition	means a condition to which Licence L8770/2013/1 is subject under s.62 of the EP Act.
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</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
Licence	means Licence L8770/2013/1, issued under Part V, Division 3 of the EP Act.

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence L8870/2013/1 granted to Environex International Pty Ltd (Environex). This notice of amendment is given under section 59B(9) of the EP Act on the initiative of an Officer Delegated under section 20 of the EP Act.

Licence history and background

Table 1 provides the history for L8770/2013/1

Table 2: Licence history

Instrument	Issued	
L5848/1991/11	5/08/2011	Licence issued to Klen International (74) Pty Ltd
L8870/2013/1	06/09/2013	Licence issued to Environex International Pty Ltd
L8870/2013/1	14/08/2018	DWER initiated amendment to extend the duration of the Licence

Licence L8770/2013/1 was granted to Environex in 2013 for the operation of a chemical blending facility in Wangara that was previously operated under Licence L5848/1991/11 by Klen International (74) Pty Ltd. Klen has now relocated and operate under Licence L8882/2015/1 in Neerabup.

Environex manufactures cleaning and sanitation chemicals, sealers, and packages acids and alkalis in small containers. Air emission include volatile organic compounds (VOCs) and ammonia gas from the ammonia solution plant.

DWER has received approximately five complaints about emissions from the premises since May 2017.

Amendment description

This Amendment Notice is the result of a DWER initiated amendment and relates to the extension of the licence expiry date from 5 September 2018 to 5 September 2038.

This amendment is to extend the duration of the Licence for an additional 20 years. As part of this Amendment Notice the Delegated Officer has also:

- removed condition 4 that related to Improvement conditions that have now been complied with by the submission of the report as required by these conditions (DWER document A701742)
- removed Condition 5.1.2 as DWER now considers this general condition as redundant
- removed the superseded AACR template as the DWER *Guideline: Annual Audit Compliance Reports (2016)* has an updated AACR format; and
- included relevant definitions consequential to the above.

Decision

Section 63 of the EP Act prescribes that a licence shall continue in force for such period as is specified in the licence. In making the decision to amend the licence, the Delegated Officer had regard to DWER's *Guidance Statement: Licence Duration* that provides for the granting of a licence for up to 20 years duration.

The current Licence is due to expire on 5 September 2018. The Delegated Officer has determined that the licence duration can be extended by 20 years in line with DWER's Guidance Statement on Licence Duration.

In determining to amend the duration of the licence, the following matters were considered by the Delegated Officer:

- the premises will be subject to ongoing periodic routine compliance inspections and investigations following incidents and complaints that may occur; and
- in the event that risk issues arise in relation to the premises, the CEO may, depending on the circumstances:
 - amend the conditions of the licence at any time;
 - in the event of an alleged offence, exercise enforcement powers under the EP Act, including an environmental protection notice; and
 - revoke the licence in the event of non-compliance with conditions causing pollution or serious environmental harm.

Minor administrative amendments have been made to the Licence and the removal of redundant conditions have also been removed from the Licence by this amendment.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 7 August 2018. No comments were received from the Licence Holder

Details of the Amendment

- The Licence expiry has been extended from 5 September 2018 to 5 September 2038.
- Condition 1.1.2 of the Licence is amended by the insertion of the definitions shown in red underlined text and the deletion of the definitions shown in strikethrough below:

<u>Annual Audit Compliance Report (AACR)</u>	<u>means a compliance report indicating the extent to which the conditions in this Licence were complied with for the preceding Annual Period and in the format set out in DWER's Guideline: Annual Audit Compliance Reports.</u>
<u>CEO</u>	<u>means Chief Executive Officer.</u> <u>CEO for the purposes of notification means:</u> <u>Director General</u> <u>Department Administering the Environmental Protection Act 1986</u> <u>Locked Bag 33 Cloisters Square</u> <u>PERTH WA 6850</u> <u>info@dwer.wa.gov.au</u>
Director	means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the Environmental Protection Act 1986;
Director	for the purpose of correspondence means; Regional Leader, Industry Regulation, Swan Region Department of Environment Regulation Locked Bag 33 Cloisters Square WA 6850 Telephone: (08) 9333 7510 Facsimile: (08) 9333 7550

- The Licence is amended by the deletion of Condition 4, condition 4.1, Condition 4.1.1, Condition 4.1.2 and Table 4.1.1 as shown in strikethrough text below:

~~4~~ **Improvements**

~~4.1~~ **Improvement programme**

~~4.1.1~~ The Licensee shall complete the improvements in Table 4.1.1 by the dates specified.

~~4.1.2~~ The Licensee, for improvements not specifically requiring a written submission, shall write to the Director stating whether and how the Licensee is compliant with the improvement within one week of the completion date specified in Table 4.1.1.

Table 4.1.1: Improvement program		
Improvement reference	Improvement	Date of completion
IR1	The Licensee shall submit to the Director a report that assesses the sources, compositions and quantities of emissions to air at the Premises and compares them against industry standards for preventing or abating pollution or environmental harm (where available). Where the design, operation and emission levels at the Premises do not conform to industry standards for preventing or abating pollution or environmental harm, the report shall contain an improvement timetable to achieve these industry standards.	30/11/2013
IR2	The Licensee shall submit to the Director a report on all existing tanks holding dangerous goods or environmentally hazardous materials, identifying whether they are compliant with the standards in Condition 1.2.3 for new tanks. The report will include a list of actions for each non-compliant tank required to meet these requirements.	30/11/2013
IR3	The Licensee shall submit to the Director a report detailing a program of improvements to bring these non-compliant tanks identified in the response to IR2. These improvements should ensure those tanks are brought up to the standards in Condition 1.2.3 based on the environmental risk from each tank.	30/11/2013

4. Condition 5.1.2 of the Licence is deleted as shown in strikethrough below:

~~5.1.2 The Licensee shall ensure that:~~

- ~~(a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and~~
- ~~(b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.~~

5. Schedule 2 of the Licence is amended by the deletion of the form on the first three pages of the Schedule being the annual audit compliance report, form AACR.

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8770/2013/1	Current Licence	accessed at www.dwer.wa.gov.au
2	Licensee's improvement reports	NA	DWER record A701742
3	DER, August 2016. <i>Guidance Statement: Licence duration.</i> Department of Environment Regulation, Perth.	NA	accessed at www.dwer.wa.gov.au
4	DER, February 2017. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.		
5	DER, February 2017. <i>Guidance Statement: Decision Making.</i> Department of Environment Regulation, Perth.		
6	DER, August 2016. <i>Guidelines: Annual Audit Compliance Reports.</i> Department of Environment Regulation, Perth.		