



Amendment Notice 2

Licence Number L8993/2016/1

Licence Holder Cleanaway Pty Ltd

ACN 000 164 938

File Number: DER2016/001702

Premises Guildford Materials Recovery Facility
Lot 62 on Diagram 60242
72 Hyne Road
South Guildford WA 6055
As depicted in Schedule 1 of the licence.

Date of Amendment 3 September 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* 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.

Jarrold Abrahams
A/MANAGER WASTE 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
ACN	Australian Company Number
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</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
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	Cleanaway Pty Ltd
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.

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)*
- *Guidance Statement: Environmental Siting (November 2016)*

Amendment description

Cleanaway Pty Ltd (the Licensee) have submitted a Licence amendment application to accept bread waste, hydrocarbon waste and waste batteries.

During consultation on the draft Amendment Notice, the Licensee submitted an additional amendment request relating to the storage of sorted/processed waste outside of the enclosure warehouse.

Bread waste will be accepted onto the premises in sealed bags mixed with cardboard. The bread will then be manually separated and contained in dedicated bins for delivery to a third party. Bread will be collected by the third party two times per week based on volume and will be handled within the enclosed warehouse.

Waste hydrocarbons (collected in 5L and 10L oil containers) and waste batteries will be collected from local residences. Hydrocarbons and batteries will be stored within sealed bins in a bunded area of the enclosed warehouse. Hydrocarbons may be consolidated within the Premises.

The Licensee has proposed that during periods when there is insufficient storage capacity within the warehouse, sorted/processed wastes which are awaiting transportation off the Premises may be temporarily stored outside of the warehouse within a storage container undercover or covered with a waterproof tarp.

Table 2 below outlines the proposed changes to the Licence. Table 3 lists the documents submitted during the assessment process.

Table 2: Proposed design capacity changes

Category	Current design capacity	Proposed design capacity
61 – Liquid Waste Facility	N/A (not currently authorised)	300 tonnes per annual period

Table 3: Documents and information submitted during the assessment process

Document/information description	Date received
Licence amendment application dated 15 March 2018 (Cleanaway Pty Ltd)	29 March 2018
Additional information on proposed storage locations for waste hydrocarbons and batteries (via email)	29 May 2018
Additional information on spill kits located on-site (via email)	15 June 2016

Amendment history

Table 4 provides the amendment history for L8993/2016/1.

Table 4: Licence amendments

Instrument	Issued	Amendment
L8993/2016/1	29/08/2017	Amendment Notice 1: Administrative amendment

Location and receptors

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

Table 5: Receptors and distance from activity boundary

Residential and sensitive premises	Distance from Prescribed Premises
Residential Houses	Approximately 325m north-east and 400m north-west of the Premises

Table 6 below lists the relevant environmental receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 6: Environmental receptors and distance from activity boundary

Environmental receptors	Distance from Prescribed Premises
Groundwater	Approximately 4.5m below ground level (mBGL) and 5.8mAHD (<i>Perth Groundwater Map, Perth Groundwater Atlas</i> , Department of Environment, 2004) Proclaimed groundwater area ('Perth') under the <i>Rights in Water and Irrigation Act 1914</i>
Swan River	Approximately 620m to the north-west of the Premises

Risk assessment

Table 7 below describe the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. This table identifies whether the emissions present a material risk to public health or the environment, requiring regulatory controls.

Table 7: 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				
Hazardous waste storage	Acceptance and storage of hydrocarbons and batteries	Odour	325m north-east and 400m north-west of the Premises (refer to Table 5)	Air/wind dispersion	Amenity impacts	Minor	Rare	Low	The Delegated Officer considers odour may cause low level impacts to amenity (minor consequence) and this would only happen in exceptional circumstances (rare likelihood) due to the proposed storage infrastructure controls. Any odour generation is expected to be limited to the immediate storage areas.
		Discharge of hydrocarbons and battery acid to land: Spillages and failure of containment infrastructure	Groundwater is located 4.5mbgl (refer to Table 6)	Infiltration through underlying soils	Impacts to groundwater quality	Moderate	Rare	Medium	The Delegated Officer considers hydrocarbon spills and discharge of battery acid may cause low level on-site or off-site impacts to potential receptors (overall moderate consequence), and this would only happen in exceptional circumstances (rare likelihood) due to the proposed storage infrastructure controls. Spill kits are available on-site in case of a spill or containment failure.
			Swan River is located 620m northwest (refer to Table 6)	Direct emission, overland flow	Impacts to surface water quality and ecological quality				
Cat 61A Solid waste facility	Acceptance and storage of bread waste	Odour	325m northeast and 400m northwest of the Premises (refer to Table 5)	Air/wind dispersion	Amenity impacts	Slight	Unlikely	Low	The Delegated Officer considers odour from bread waste to have a minimal impact on amenity and would probably not occur in most circumstances

Risk Event						Consequence rating	Likelihood rating	Risk	Reasoning
Source/Activities		Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts				
									(unlikely).
Cat 62 and 61A	Storage of sorted/processed solids wastes outside the warehouse (excluding batteries)	Contaminated stormwater	Groundwater is located 4.5mbgl (refer to Table 6)	Infiltration through underlying soils	Impacts to groundwater quality	Moderate	Rare	Medium	<p>The controls proposed by the Licensee are as follows:</p> <ul style="list-style-type: none"> Storage containers located undercover or covered with a waterproof tarpaulin. Temporary storage outside only when there is an excess of sorted/processed material that cannot be physically stored inside the shed. <p>Based on the above controls and the solid waste types handled at the Premises, the Delegated Officer considers that stormwater contamination from this source may cause low level off-site impacts (moderate consequence), but that these impacts may only occur in exceptional circumstances (rare likelihood).</p>
			Swan River is located 620m northwest (refer to Table 6)	Direct emission, overland flow	Impacts to surface water quality and ecological quality				

Decision

The Delegated Officer has determined that the Licence will be amended as requested to:

- permit the acceptance and storage of hydrocarbon waste, waste batteries and bread waste; and
- permit the temporary storage of sorted/processed solid wastes outside of the warehouse (excluding batteries).

The Licence Holder's proposed controls will be included in regulatory conditions accordingly, and an additional regulatory control has been included requiring breadwaste to be covered if stored outside the warehouse due to the slightly higher likelihood of odour emissions from this waste.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 18 July 2018 and 28 August 2018. Comments received from the Licence Holder have been considered by the Delegated Officer as shown in Appendix 2.

Amendment

1. The prescribed premises category's as specified on page 1 of the Licence is amended by the insertion of the red text shown in underline below:

Prescribed premises category

Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
<u>61</u>	<u>Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.</u>	<u>100 tonnes or more per year</u>	<u>300 tonnes per annual period</u>
61A	Solid waste facility; premises (other than premises within category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land.	1,000 tonnes or more per year.	500,000 tonnes per annual period.
62	Solid Waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.	500 tonnes per annual period	500,000 tonnes per annual period

2. Condition 1.1.2 of the Licence is amended by the insertion of additional definitions as shown in the red text in underline below:

'consolidation' means removing waste from two or more containers and placing them together into a larger container, or storing numerous containers on pallets for economical transport, and does not involve the mixing of incompatible waste types;

'Hazardous waste' has the meaning defined in Landfill Definitions;

'Landfill Definitions' means the document titled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer of the Department of Water and Environmental Regulation, as amended from time to time;

3. Condition 1.2.1 of the Licence is amended by the deletion of the red text shown in strikethrough below and insertion of the red text shown in underline below:

- 1.2.1 The Licensee shall only allow waste to be accepted on to the Premises if:
- (a) it is of a type listed in Table 1.2.1; and
 - (b) the quantity accepted is below any limit listed in Table 1.2.1; and
 - (c) it meets any specification listed in Table 1.2.1

Table 1.2.1: Waste acceptance		
Waste Type	Quantity Limit	Specification¹
Inert waste type 1	<p>Waste oil: 300 tonnes per annual period</p> <p><u>All other wastes:</u> Combined total of 500,000 tonnes per annual period</p>	<ul style="list-style-type: none"> Metal and aluminum cans, electrical, light bulbs, gas bottles and ceramics. Directed to the Materials Recycling Facility Warehouse Tipping Area for temporary storage prior to sorting at the Processing Area.
Inert waste type 2		<ul style="list-style-type: none"> Glass, HDPE, V, LDPE, PP, PS and PET plastics, batteries and foam. Directed to the Materials Recycling Facility Warehouse Tipping Area for temporary storage prior to sorting at the Processing Area.
Putrescible waste		<ul style="list-style-type: none"> Papers, magazines and cardboard. <u>Bread waste.</u> Directed to the Materials Recycling Facility Warehouse Tipping Area for temporary storage prior to sorting at the Processing Area.
<u>Hazardous waste</u>		<ul style="list-style-type: none"> <u>Limited to waste oil (liquid waste) and batteries (solid waste).</u> <u>Directed to the Materials Recycling Facility Warehouse Tipping Area for temporary storage prior to sorting in the Processing Area.</u>

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

4. Condition 1.2.3 of the Licence is amended by the insertion of the red text shown in underline below:

- 1.2.3 The Licensee shall ensure that the wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.2.2 and in accordance with any process requirements described in that table.

Table 1.2.2: Waste processing		
Waste type	Process	Process requirements
Inert waste type 1	Receipt, temporary storage, handling, mechanical sorting, hand sorting and physical storage prior to off-site disposal.	Only to be receipted, consolidated, stored , handled and processed within an enclosed warehouse with a hardstand area capable of preventing surface run-off from entering the hardstand.

<i>Inert waste type 2</i>	<i>Glass crushing to a -5mm fraction via a glass crushing process.</i>	<u>Sorted/processed wastes excluding bread waste only to be stored:</u> (a) <u>within an enclosed warehouse with a hardstand area capable of preventing surface run-off from entering the hardstand; or</u> (b) <u>where there is a greater quantity of material than can be stored within the warehouse;</u> i. <u>stored within a container in an undercover area; or</u> ii. <u>stored within a container that is fully covered to prevent the entry of stormwater into the container.</u>
<i>Putrescible waste</i>		<u>Sorted bread waste only to be stored:</u> (c) <u>within an enclosed warehouse with a hardstand area capable of preventing surface run-off from entering the hardstand; or</u> (d) <u>where there is a greater quantity of material than can be stored within the warehouse;</u> i. <u>stored within a container that is fully covered to prevent the entry of stormwater into the container.</u>
<u><i>Hazardous waste</i></u>	<u><i>Receipt, handling, consolidation and temporary storage prior to removal off-site.</i></u>	<u>Only to be receipted and stored within sealed bins within an enclosed warehouse with a hardstand area capable of preventing surface run-off from entering the hardstand.</u> <u>Hydrocarbon waste shall not be fixated.</u>

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8993/20161 – Guildford Materials Recovery Facility	L8993/20161	accessed at www.dwer.wa.gov.au
2	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
3	DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	DER 2015b	
4	DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2017a	
5	DER, February 2017. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2017b	

Appendix 2: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Notice on 17 July 2018 for review and comment. The Licence Holder provided comments on 23 July 2018 and waived the remaining comment period.

Due to changes that were made in response to the Licence Holder's comments of the 23 July 2018, the Licence Holder was provided with the draft Amendment Notice on 28 August 2018 for a second comment period. The Licence Holder provided comments on 28 August 2018 and waived the remaining comment period on 29 August 2018.

The following comments were received on the draft Amendment Notice.

Condition	Summary of Licence Holder comment	DWER response
Condition 1.2.3, Table 1.2.2.	<p>Comment provided 23 July 2018: Based on the outcome of a recent DWER compliance inspection at the site, and subsequent discussions with DWER, we would like to seek the addition of one line in the Licence, included as part of this amendment, as below.</p> <p>It is my understanding that this line could simply be a footnote to Table 1.2.3 of the Licence, stating words to the effect of “finished product temporarily stored outside of enclosed shed will be stored under a roof or tarped to prevent rainwater from entering bins”.</p> <p>Additional information provided 2 August 2018: “finished product” would refer to any of our product that has been through the MRF process and is awaiting transportation offsite to our customers. At present the only product that could temporarily be stored outside of the MRF shed would be our recycled scrap metals and bailed aluminium cans that are awaiting collection from our customer (Sims Metals) but we do, from time to time, have an influx of other waste types (for example during the busy Christmas period) so what we are suggesting is that, if we have an excess of finished product that cannot be physically stored inside the shed, we will take steps to ensure that the storage container is protected from</p>	<p>DWER notes the requested change does not relate to the subject of this amendment notice, but to conditions of the Existing Licence.</p> <p>DWER has considered the requested change, and the amendment notice was updated to allow for the temporary storage of solid wastes outside of the warehouse (excluding batteries), with relevant controls which generally reflect the controls proposed by the Licence Holder.</p> <p>An additional regulatory control has been added in regards to bread waste needing to be covered if stored outside, due to the slightly higher likelihood of odour emissions from this waste type if stored outside uncovered.</p>

Condition	Summary of Licence Holder comment	DWER response
	rainwater, either by placing under a roof or by waterproof tarp, so that an risk of contamination to stormwater is mitigated.	
Condition 1.2.3, Table 1.2.2.	<p>Comment provided 28 August 2018: Table 1.2.2 states “Hydrocarbon waste shall not be fixated or mixed” .</p> <p>What is the interpretation of this? Is there any restriction in mixing hydrocarbons into bigger sealed container from their original 5L containers?</p> <p>Also, please note that we also accept hydrocarbons in 10L containers.</p>	<p>DWER reviewed the information provided in support of the amendment application in the context of these comments and has made the below changes to the amendment notice:</p> <ul style="list-style-type: none"> • Revised wording in Table 1.2.1 to remove reference and restriction to receiving waste oil in 5L containers. • Revised wording in Table 1.2.2 to authorise consolidation processes. • Insert definition for ‘consolidation’: <i>‘consolidation’ means removing waste from two or more containers and placing them together into a larger container, or storing numerous containers on pallets for economical transport, and does not involve the mixing of incompatible waste types;</i> <p>It is still proposed to restrict hydrocarbon waste from being chemically fixated as this process was not proposed in the amendment application.</p>