



Application for Licence Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number L4533/1967/15

Licence Holder Cockburn Cement Limited

ACN 008 673 470

File Number DER2015/000597

Premises Cockburn Cement Limited Munster

Legal description –

Lot 450 on Plan 249735 Rockingham Rd, Lot 50 on Diagram 6065, Lot 88 on Plan 22127, Lot 246 on Plan 226117, Lot 5 and Lot 4 on Diagram 18525 and Lot 311 on Plan 300770
Russell Road
MUNSTER 6166

Date of Report 19/03/2023

Decision Revised licence granted

1. Amendment description

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the existing licence issued in respect the prescribed premises as set out below.

On 16 February 2024, Cockburn Cement Ltd (CCL, Licence Holder) submitted an application to the department to amend Licence L4533/1967/15 under section 59B of the *Environmental Protection Act 1986* (EP Act). This amendment is limited to a request by CCL to extend the duration of the licence by twelve months. No other changes have been made to existing conditions or licence holder obligations.

In completing the assessment documented in this report, the department has considered and given due regard to its regulatory framework and relevant policy documents which are available at [DWER Regulatory documents | Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au/government/publications/dwer-regulatory-documents).

2. Background

CCL currently operates a lime manufacturing plant (category 43: Cement or lime manufacturing) on Russell Road in Munster (the premises). The plant has two operational lime kilns and is authorised to operate under Part V of the EP Act by licence L4533/1967/15. In February 2023, the licence was amended to extend the expiry date to 30 March 2024. An appeal was lodged in relation to the licence extension on 21 March 2023. The appeal is yet to be determined.

A works approval was granted in August 2021 that allowed CCL to undertake shell sand feed diversion trials in its Kiln 6 pre-heater tower, aimed at reducing odour emissions from Kiln 6. Feed diversion trials were undertaken in 2022-23 and the works approval expired in May 2023 with CCL submitting a report to DWER on the results of the trials. DWER has completed a detailed scientific review of CCL's report on the feed diversion trials, provided CCL feedback and is engaged in further discussions with CCL on next steps for feed diversion and broader options and strategies for odour emissions.

In its application, CCL provided information on preliminary actions it was undertaking in relation to odour investigations and potential control options. This included that CCL will:

- continue to engage with DWER on the feed diversion trial outcomes towards enabling its ongoing operation by July to September 2024;
- consider lime import facility options;
- review the optimal production levels for Kilns 5 and 6, exploring options for odour reduction;
- conduct additional odour stack testing;
- perform odour field surveys at both full and reduced tonnages to gather more data;
- seek additional technical advice on the feed diversion trial outcomes to better explain thermal variations in the pre-heater tower and ground-level odour variations;
- conduct a statistical analysis of data variation for odour analytes; and
- provide further information to clarify its broader strategy for reducing odour.

3. Decision

Section 63 of the EP Act prescribes that a licence shall continue in force for such period as is specified in the licence. Licence L4533/1967/15 is due to expire on 30 March 2024.

The delegated officer decided to amended licence L4533/1967/15 in accordance with section 59(1) of the EP Act by extending the expiry date from 30 March 2024 to 30 March 2025. The

registered business address for the licence holder has also been updated.

The decision to amend the licence to extend its duration by twelve months takes into account that CCL and DWER are actively engaging on the short, medium and long term strategy for odour emissions from the premises. This includes the preliminary actions outlined by CCL in section 2 that were considered in this assessment and that further information from CCL is expected on its broader odour strategy. This information will inform the next steps and DWER's regulatory response to odour emissions.

A twelve month extension of the licence allows for the lawful operation of the premises and the implementation of further actions within the term of this licence. The delegated officer notes this may include further amendments to the licence.

Notwithstanding the above, the delegated officer also considered that:

- an extension to the licence duration will not change the current risk profile of the premises, or change the risks posed by ongoing emissions from the premises;
- the licence continues to specify requirements related to odour emissions and discharges, including odour, that will continue in accordance with existing conditions;
- the premises will be subject to ongoing compliance inspections and investigations following incidents and complaints, in accordance with the EP Act;
- in the event that risk issues arise in relation to the premises, the CEO may
 - a) amend the licence conditions at any point, and
 - b) in the event of an alleged offence, exercise enforcement powers under the provisions of the EP Act.
- DWER will continue to investigate reports of odour in the local community and, where appropriate, take further action to address any ongoing unreasonable odour impacts.

4. Consultation

CCL was provided with drafts of the amended licence and this report on 14 March 2024. CCL responded on 18 March 2024 agreeing to the amendment and requested the remaining comment period be waived. CCL also advised of the company's updated registered business address which was amended in the licence.

5. Conclusion

The delegated officer has determined to amend the existing licence, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.