



Licence Number	L6107/1967/17
Licence Holder	CSBP Limited
ACN	008 668 371
File Number:	DWERVT3889
Premises	CSBP Limited Kwinana Beach Road, Kwinana Beach WA 6167 Legal description – Part of Lot 20 on Diagram 78086 and Part of Lot 18 on Plan 17311 Certificates of Title Volume 1918/Folio 244 and Volume 2058/Folio 310
Date of Report	4 December 2019
Status of Report	Final

Definitions and interpretation

Definitions

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

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
Amendment Report	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: Chief Executive Officer Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 JOONDALUP DC WA 6027 Telephone: (08) 6367 7000 Facsimile: (08) 6367 7001 Email: 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 Amendment
Licence Holder	CSBP Limited
Premises	refers to the premises to which this Amendment Report applies, as specified at the front of this Amendment Report.
Amended Licence	the amended Licence issued under Part V, Division 3 of the EP Act, with changes that correspond to the assessment outlined in this Amendment Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>

Licence Amendment

The amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend Licence L6107/1967/17 granted under the EP Act for the CSBP Limited (Licence Holder) fertiliser manufacturing premises in Kwinana Beach.

Details of the amendment are set out in the form of an amended licence document and includes the consolidation of previous amendments to Licence L6107/1967/17.

The Licence Holder applied to amend the licence on 7 November 2019 (the Application) to include the assessed capacities for each prescribed category and also alter the Superphosphate Manufacturing Plant (SMP) and Granulation Plant (GP) stacking testing requirements.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Risk Assessment (February 2017)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Decision Making (June 2019)*
- *Guideline: Industry Regulation Guide to Licensing (June 2019)*

Background

The Licence Holder operates an integrated chemicals and fertilizer manufacturing facility located in Kwinana Beach within the Kwinana Industrial Area.

Amendment description

Table 2 lists the documents submitted during the assessment process.

Table 2: Documents and information submitted during the assessment process

Document/information description	Date received
Licence amendment application (DWER record DWERDT220700)	7 November 2019

The amendments requested by the Licence Holder are as follows:

1. inclusion of the assessed capacity for each of the prescribed categories on the licence; and
2. amendment of conditions A4(a) and A5(a) to alter SMP and GP stack monitoring requirements.

In relation to the prescribed categories, the Licence Holder provided the assessed capacity for each prescribed category as shown in Table 3.

Table 3: Prescribed category assessed capacities from the Application

Category	Category description	Assessed production capacity
31	Chemical manufacturing: premises (other than premises within category 32) on which chemical products are manufactured by a chemical process.	3,712,000 tonnes per annum (in aggregate)
61	Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	10,000 tonnes per annum
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.	10,000 tonnes per annum
75	Chemical blending or mixing not causing discharge: premises on which chemicals or chemical products are mixed, blended or packaged in a manner that does not cause or is not likely to cause a discharge of waste into the environment.	100,000 tonnes per annum

On the requested changes to conditions A4(a) and A5(a), the Licence Holder advised that the SMP typically operates for approximately five months per year and the GP typically operates for approximately eight to nine months per year. To comply with the requirements of existing of conditions A4(a) and A5(a), the Licence Holder performs an internal stack test each quarter when the plant is operating and engages a stack testing consultant to perform an annual stack test. The Licence Holder proposes to engage a consultant to perform two stack tests per year where sample events will be at least two months apart for the SMP and three months apart for the GP.

The Licence Holder proposed revised wording for conditions A4(a) and A5(a) in the Application. As part of any amendments, the Delegated Officer will also:

- consolidate the previous four Amendment Notice in the licence as listed in Table 4;
- remove conditions that are redundant or out of date (e.g. completed works); and
- make administrative and format updates.

Amendment history

Table 4 provides the licensing history the last 3 years for L6107/1967/17.

Table 4: Recent Licence history

Instrument	Issued	Description
L6107/1967/17	29/04/2016	Amendment by notice to change the licence expiry date
L6107/1967/17	30/06/2016	Amendment to change wastewater discharge conditions, issued as an Amended Licence as per section 59(10) of the EP Act
L6107/1967/17	06/02/2017	Amendment Notice 1 Change to the registered business address of the occupier
L6107/1967/17	01/03/2017	Amendment Notice 2 To allow the construction and operation of the Ammonium Nitrate Emulsion Plant and the addition of category 75 (Chemical blending) to the Licence

Instrument	Issued	Description
L6107/1967/17	22/01/2018	Amendment Notice 3 Construction and operation of a Water Treatment Plant, remove Mn and Fe Limits and add Quarter to the definitions re: condition A4(a)(ii)
L6107/1967/17	26/04/2018	Amendment Notice 4 The replacement of “three month period” with “Quarter” to conditions G2(a)(viii), A5(a)(ii) and A6(a).

Location and receptors

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

Table 5: Receptors and distance from premises boundary

Residential and sensitive premises	Distance from Prescribed Premises
Owner/Occupier of the bottle shop near Wells Park	500m
Medina, residential area to the east	2250m
Calista, residential area to the east	2500m
East Rockingham, residential area to the south	2500m

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
<i>Cockburn Sound (State Environmental (Cockburn Sound) Policy 2015)</i>	Immediately adjacent to the premises to the west.

Risk assessment

The addition of the assessed capacity for each prescribed category is considered an administrative change and is not further assessed.

In relation to requested changes to conditions A4(a) and A5(a), the Delegated Officer had regard to the following:

- SMP and GP stacks are currently tested by an external consultant once per year and each other quarter a stack test is performed by the Licence Holder;
- SMP and GP operate between five and nine months of the year;
- recent results of the SMP and GP stacks have been well below the set limit in the licence (single figure percentages of the limit were reported in the annual environmental report of 2018-2019); and
- changing the requirement for stack testing to two stack tests conducted by an external stack testing company does not increase the risk of negative receptor impacts.

On this basis, the Delegated Officer formed the view that no further detailed risk assessment is required.

Decision

1. The licence page will include the assessed capacity for each prescribed category. The change is consistent with recent formatting updates to licences more generally.
2. The Delegated Officer accepted the proposed changes to conditions A4(a) and A5(a) which will result in the Licence Holder testing the SMP and GP stacks twice per year using an external consultant. The change does not alter the risk profile of air emissions and is likely to improve the reliability of stack testing.

Previous Amendment Notices listed in Table 4 will also be consolidated into the amended licence along with the changes summarised in Table 7.

Table 7: Licence amendments

Condition No.	Proposed amendments
G2(c)	Annual Audit Compliance Report condition updated to current standard text with reference to DWER's website to get the latest version of the AACR template.
3.1.1	Changes to groundwater monitoring requirements to include 3 additional off-site wells and changes to parameter suite.
N1-N7	Conditions removed as works have been completed. No other conditions required to cover operation of these plants as potential emissions and discharges are sufficiently captured under other conditions of the Licence.
Premises map	Updated to show coordinates of distinct corner points of the premises boundary.

In accordance with section 59 of the EP Act, the Delegated Officer has granted amendments to Licence 6107/1967/17. Details of the amendments are set out in the form of an Amended Licence.

Licence Holder's comments

The draft Amendment Report and the Draft Amended Licence were sent to the Licence Holder for comment on 2 December 2019. The Licence Holder commented on the draft on 3 December 2019 with comments of an administrative nature to:

- Clarify Amendment Notice 1 in the Instrument log table was related to a new registered business address (rather than change of occupier);
- Change the term "calendar year" to "annual period" in revised conditions A4(a) and A5(a) and existing condition A7(a) for consistency with the licence definition of "annual period."

The Delegated Officer has accepted these changes.

Chris Malley

A/Manager, Process Industries

An officer delegated by the CEO under section 20 of the EP Act

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L6107/1967/17	L6107/1967/17	accessed at www.dwer.wa.gov.au
2	Application for Licence amendment	Application	DWER records (DWERDT220700)
3	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	N/A	accessed at www.dwer.wa.gov.au
4	DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.		
5	DER, May 2016. <i>Guidance Statement: Publication of Annual Audit Compliance Reports</i> . Department of Environment Regulation, Perth.		
6	DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.		
7	DWER, June 2019. <i>Guideline: Decision Making</i> . Department of Water and Environmental Regulation, Perth.		
8	DWER, June 2019. <i>Guideline: Industry Regulation Guide to Licensing</i> . Department of Water and Environmental Regulation, Perth.		