



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Fulton Hogan Industries Pty Ltd

Licence: L6144/1990/10

Registered office: Lot 1 Talbot Road
HAZELMERE WA 8055

ACN: 000 538 689

Premises address: Picton Asphalt Plant
109 Harrie Road
PICTON WA 6229
Being Lot 109 on Plan 301893

Issue date: Thursday, 21 August 2014

Commencement date: Thursday, 28 August 2014

Expiry date: Tuesday, 27 August 2019

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue a licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Daniel Hartnup.....
Licensing Officer

Decision Document authorised by: Neville Welsh.....
Manager Licensing



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows:

Standard conditions (SC)

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the Premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.4, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.4, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

Optional standard conditions (OSC)

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary, and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions is justified in Section 4 of this document.

Non standard conditions (NSC)

Where the proposed activities requires conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occur within few licences. Where used, justification for the application of these conditions will be included in Section 4.



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	
	New Licence <input checked="" type="checkbox"/>	
	Licence amendment <input type="checkbox"/>	
	Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	35: Asphalt manufacturing	30,000 tonnes per annual period
Application verified	Date: 19 May 2014	
Application fee paid	Date: 15 July 2014	
Works Approval has been complied with	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Compliance Certificate received	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/>
		Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	Ministerial statement No:
		EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Department of Water consulted Yes <input type="checkbox"/> No <input type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>



3 Executive summary of proposal and assessment

Fulton Hogan Industries Pty Ltd operates the Picton Asphalt Plant under Licence L6144/1990/10. The plant was established in 1990 by Pioneer Road Services in the Picton light industrial area and in 2009 was acquired by the New Zealand-based Fulton Hogan.

The plant is an oil-fired batch-mix plant with a production capacity of 30 tonnes per hour (nominal annual throughput 30,000 tpa). The process uses a mixture of graded aggregate and liquid bitumen, which is heated and mixed in measured quantities to produce hot mix asphalt materials. Raw materials, including sand, aggregate, lime filler and bitumen, are stored on-site in bulk quantities. The primary environmental considerations from the process relate to air emissions, fugitive dust and odour and stormwater management.

This Licence is the successor to licence L6144/1990/10 and continues to authorise asphalt manufacturing operations. As part of this re-issue, DER has not re-assessed the acceptability or impacts of emissions and discharges from the Premises or re-visited any existing emission control levels. No changes to conditions on the previous licence have been made with the exception of the approved production capacity.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE				
Works Approval / Licence section	Condition number W = Works Approval L= Licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Approved Premises production or design capacity	N/A	N/A	The design capacity of the plant, as approved in the original works approval of 1990, was for 60 tonnes per hour and 100,000 tonnes of asphalt product per year. The nominal production capacity of the plant in previous part V licences reflected the nominal production at the time, being 20,000 tpa. This volume was continued into the new REFIRE licence. Upon the request of Fulton Hogan, DER has determined to amend the approved premises production capacity to 30,000 tpa, as this more accurately reflects present day production volumes and does not exceed the originally approved design capacity.	General provisions of the <i>Environmental Protection Act 1986</i>
Point source emissions to air	L3.2.1	OSC	The monitoring method for PM ₁₀ has been amended from USEPA Method 5 to Method 201A upon request of the Licensee's air emissions consultant. DER agrees this alternate methodology will provide equally accurate results and is consistent with the sampling methodologies used at other asphalt plants due to the relatively high moisture content of the stack gases. PM has also been added to Table 3.2.1 requirements as it is a concurrent measurement of Method 201A. An additional footnote has been added, referencing all units to STP and 18% O ₂ correction, as this was omitted during the REFIRE conversion.	EML Air (June 2013)
Licence Duration	N/A	N/A	Given DER's priority risk rating of the Premises, this licence will be issued for the standard 5 year duration.	DER Licensed Premises Risk Appraisal matrix



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
28/07/2014	Application advertised in West Australian newspaper	Nil.	N/A.
18/08/2014	Proponent sent a copy of draft instrument	No issues raised.	N/A.



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood					
	I	II	III	IV	V
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High