Amendment Report

Department initiated Amendment

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

Licence Number	L7438/2000/9
Licence Holder	Milne Agrigroup Pty Ltd
ACN	008 919 579
File Number	ILS2014/000017-1
Premises	Milne Feeds 103-105 Welshpool Road WELSHPOOL WA 6106 Legal description Lot 501 on Plan 53872, Lot 601 on Diagram Plan 404603 Welshpool Road and Lot 8 on Diagram 78445 John Street Welshpool, WA 6106 As defined by the premises maps attached to the issued licence
Date of Report	26 September 2024
Decision	Revised licence granted

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1. Decision summary

Licence L7438/2000/9 is held by Milne AgriGroup Pty Ltd (Milne, the licence holder) for an animal feed manufacturing premises (Milne Feeds) located at 103 Welshpool Road, Welshpool (the premises).

Following complaints relating to fugitive dust the Department of Water and Environment Regulation (department) conducted site inspections of the premises in 2022. The inspections determined that there were uncontrolled sources of dust on the premises and the conditions of the licence were not adequate to manage the risk of impacts relating to dust emissions. As a result the department initiated a review of the licence.

This decision report documents the delegated officer's assessment of risks to the environment and public health arising from a review of dust emissions generated by the primary activities (animal feed manufacturing) conducted at the premises. As a result of this assessment, a revised version of licence L7438/2000/9 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment 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).

2.2 Risk review summary - dust

On 22 November 2022 the department notified the licence holder that it would be reviewing licence L7438/2000/9 for the Milne Feeds premises located at 103 Welshpool Road, Welshpool. The review focus was on dust emissions from feed manufacturing and associated activities on the premises to ensure accuracy and adequacy of licence conditions. The review will take into account the outcomes of recent compliance inspections by the department and recent changes to dust management strategies and improvements by Milne in response to dust complaints.

This Amendment Report documents the limited scope review and assessment of dust emissions and controls to ensure the conditions of the licence remain adequate to control the risk of unacceptable impacts from dust emissions.

The licence holder is currently authorised to undertake animal feed manufacturing at the premises under Schedule 1 of the Environmental Protection Regulations 1987 (EP Regulations). Table 1 lists the prescribed premises category and the assessed production capacity specified in the licence. The review has not considered any change to the premises production capacity.

Table 1: Prescribed premises category in the existing licence

Classification of premises	Description	Assessed production capacity
Category 23	Animal feed manufacturing: premises (other than premises within category 15 or 16) on which animal food is manufactured or processed.	150,000 tonnes per annual period. ***No change***

2.3 Amendments to licence

As part of this review and amendment the department has taken the opportunity to consolidate and update the format of the licence to align with the department's current template. In amending the licence, the CEO has also:

- updated the format and appearance of the licence;
- deleted the redundant AACR form set out in schedule 1 of the previous licence and advised the licence holder to obtain the form from the department's website;
- revised licence condition numbers, removed any redundant conditions and realigned condition numbers for numerical consistency;
- corrected clerical mistakes and unintentional errors; and
- included additional conditions for the control of dust emission sources as detailed in this report.

The full consolidation of licence conditions as they relate to the Revised Licence are detailed in Section 9.1.

3. Premises overview

3.1 Premises background

An animal feedmill has operated at the premises location since 1911. Since 2000 it has been licensed under Part V of the *Environmental Protection Act 1986* (the Act). The facility produces feed for a range of agricultural sectors including cattle, sheep, poultry, equine and rabbits. The facility accepts raw materials and mills them and combines them with canola oil and other liquids such as tallow and molasses.

In addition to the existing infrastructure on the premises in August 2022 works approval W6593/2021/1 was granted for the construction of a modern facility adjacent to the current facility, and in June 2022 works approval W6786/2023/1 was granted for installation of additional storage tanks for molasses and food and beverage processing wastewater for use in the feed manufacturing process.

3.2 Process overview

Grain is delivered to the premises by truck and unloaded into dump sinks 1 and 3, dump sink 2 is not operational. From the dump sinks the grain is mechanically conveyed to silos. From the silos it is conveyed to a hammer mill where it is ground to a flour like consistency and then stored in ingredient bins.

Straw is stored in bales under a dome shelter and then conveyed to a tub grinder. The ground straw is then air blown to a raw ingredients fibre bin.

Feed is produced when ground grain is mixed with straw, liquid ingredients such as molasses and canola oil, and micro ingredients like vitamins and minerals. The feed is transported to supply bins, steam conditioned, passed through a pellet mill, and cooled.

The finished feed products are stored as loose pellets in silos, or in a storage shed in concrete bunkers either loose or in bulka bags. Product is loaded into trucks via direct feed from silos or in bulka bags for transport.

4. Complaints and compliance history

The department received a number of complaints regarding dust emissions from the premises during the period January 2021 through to January 2023.

Dust complaints between 2014 and 2023 relating to the existing feedmill are summarised in Table 1. Complainants frequently referred to the dust resembling that from grain, hay and chaff and being yellow in colour. Complaints were highest in 2021. The complaint records indicate the related dust events were primarily associated with dust emissions resulting from cyclone malfunctions, poor housekeeping and loading activities occurring in open areas. Modifications were made to the cyclones to detect and alert operators in event of high dust readings in the cyclone. Over the period 2004-2020 three environmental field notices were also issued to Milne to rectify issues on the premises. The department did not receive any complaints relating to the existing feedmill operation between 2014 and 2020.

Table 2: Historical dust complaints related to Milne Feedmill 2014-2023

Year	2014-2020	2021	2022	2023
Number of dust related complaints	0	11	6	4

The department received 21 complaints from surrounding businesses throughout 2021 to 2023. Complainants provided photographic and video evidence of dust impacts on their properties. Impacts reported included dust frequently covering cars and carparks, dust entering buildings through air-conditioning units resulting in the need for additional cleaning, inability to keep windows and doors open due to dust ingress and amenity and health impacts occurring to workers because of the dust.

The department received correspondence in November 2021 and February 2022 from the City of Canning advising it is receiving ongoing complaints from local businesses alleging dust is regularly emitted from the existing feedmill. The City visited nearby businesses and confirmed the dust impacting them appears to be a grain/feed product in nature and is in a quantity that is enough to warrant investigation. The city requested the department investigate the dust complaints and review the dust mitigation methods and licence conditions for the existing feedmill.

The department undertook a licence compliance inspection of the existing feedmill in April 2021 in response to the increase in complaints and identified several non-compliances relating to the prevention and control of dust emissions from the premises, as well as some administrative conditions. Observations made during the inspection included:

- housekeeping was not being appropriately maintained on the premises with dust and product buildup observed in a number of areas;
- a number of loading and unloading areas were not all fitted with appropriate doors or screens;
- straw storage and handling activities were contributing to material accumulation on the premises; and
- material stored and handled in open bunkers and skip bins has the potential to for dust lift off.

The department requested the licence holder undertake several actions to address the non-compliances identified, including development of a dust management plan, installation of doors or screens at loading/unloading areas, implementation of routine maintenance and housekeeping practices to remove and prevent accumulation of dust, confirm the maintenance schedule for dust collection equipment and maintain and provide a copy of the premises complaint register.

Milne submitted a Dust Management Plan and details of actions undertaken and further actions planned to address the department's requests in September and November 2021. Further actions have been undertaken since this time which were detailed in the document *Milne Feeds New Mill Overview and Dust Management Improvements* (Milne Feeds 2022), submitted in support of the works approval application for the new feedmill on the premises

(W6593/2021/1).

In January 2022 the department advised Milne that despite actions having been undertaken to address dust emissions, dust complaints continued to be received relating to the existing feedmill, and several submissions relating to ongoing dust emissions had been received in response to advertisement of the application for a works approval for the new feedmill, indicating actions undertaken to mitigate dust emissions appear to be inadequate.

The department requested further information on actions taken or planned to mitigate dust emissions to an acceptable level to be considered in the assessment of the application. In response, Milne submitted a document titled *Milne Feeds New Mill Overview and Dust Management Improvements* to support the application.

The document identifies the highest risk dust sources associated with the existing and proposed feedmills (storage and handling of bulk materials, in particular oat husk and straw), and controls which have been implemented or will be implemented to mitigate dust emissions. A summary of the content relating to the existing feedmill is below:

- Receival of dry bulk raw materials is one of the highest dust risk activities. Materials are unloaded into one of three dump sinks, none of which are completely enclosed. Curtains/curtain flaps have been installed as wind breaks across dump sink openings to reduce wind throughflow and dust egress, blower vacuums have been purchased to blow dust into the sink following delivery, and a Burnley Baffles dust suppression system has been installed at the drive through dump sink 3.
- Historically, due to limited silo storage capacity, some oat husk has been stored in outdoor storage bays. This practice results in an additional fugitive and handling dust source. Oat husk presents a higher dusk risk than other raw materials as it is a light and becomes wind-blown easily. This practice has now been stopped and the outdoor storage bays are limited to use for packaged materials which are not dust generating and product. Oat husk is stored and loaded in the bulk storage shed if required.
- Product load out into trucks is a high-risk activity for dust generation. Sheeting has been installed around the loadout chutes to protect the loading point from wind during loadout. Product loadout also occurs in the bulk shed with a loader which presents a risk of dust emissions. Operational controls have now been established to reduce the potential for dust emissions during this loading process. The storage shed doors are required to be closed during loading and prevailing winds monitored so loading can be undertaken when they are less likely to result in dust emissions. The additional storage capacity of the new feedmill is expected to reduce the need for product to be stored in the bulk shed prior to loadout as well.
- Storage and handling of straw bales presents a high dust emission risk. Historically bales were unloaded in an open area and stored in a semi-open hanger. A wall of straw bales had been established around the hanger as a wind break to mitigate dust emissions however presented a dust source in itself. The straw wall has now been removed and unloading and handling of the bales is confined to the semi-open hanger to reduce exposure and dust generation. Additionally, a screen has been added to the open side of the fibre processing building (where straw bales are ground) to reduce wind exposure. Milne is also investigating options for a wind fence.
- To minimise dust accumulation on the premise Milne has purchased a commercial street sweeper which is operated twice a day and on an ad-hoc basis in response to any spills to prevent accumulation and spread of dust on the premises. This activity was previously undertaken by a contract company approximately three days per week.
- Milne undertook a maintenance review and optimisation of the existing dust filter systems in late 2021 to improve effectiveness. Works undertaken on the system included replacing sections of ducting where leaks were detected, refurbishment of the main dust filter unit which included replacement of all bags, replacing and resealing venturis, installation of new, sealed explosion vents, overhauling the pulsing valve system and rotary seals,

reviewing and refining dust filter alarm and mill shutdown settings, and installation of control monitoring of dump sink 1's dust filter system. Milne intends to continue review and upgrade works of the dust filter system through 2022.

In April 2022 the department undertook a follow-up inspection to observe the actions undertaken to address the non-compliances with L7438/2009/9 identified in April 2021 relating to the prevention and control of dust emissions. The improvements detailed above were observed as well as improved housekeeping.

A further targeted inspection was conducted in July 2022 which found the licence holder did not ensure that:

- visible dust was not discharged beyond the boundary due to oat husk being stockpiled in a shed with open ventilation and no door seals;
- loading and un-loading areas were fitted with doors or screens, as the dump sink 3 rear curtains were not in place.

At a follow up inspection in October 2022:

- Repairs to the dust curtain on dump sink 3 were verified as complete and a deep clean and removal of the raw product from the shed was confirmed; and
- All operational controls in place for dust emissions were assessed as compliant following improvements made by the licence holder.

Since October 2022 the department has received four dust complaints all in January 2023. No dust complaints have been received for the remainder of 2023.

4.1 Aerial housekeeping review

As part of compliance actions to inform the licence review, an analysis of aerial imagery for the premises (Near Map 2022-2023) was undertaken to assess the effectiveness of premises housekeeping activities. The review identified yellow discolouration on the roofs of the Mill Building, Dump Sink 1 and the Storage Silos. Due to the colour resembling some of the raw materials for animal feed manufacturing, it is considered that the discolouration is potentially accumulated dust from vents, breathers or stacks on the premises infrastructure or accumulation from other premises sources. Accumulated dust on the premises is a potential dust source.

5. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

5.1 Source-pathways and receptors

5.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this Amendment Report are detailed in Table 3 below. Table 3 also details the control measures the Licence Holder currently implements to assist in controlling these emissions, where necessary.

Table 3: Licence Holder controls

Emission	Sources	Potential pathways	Current controls
Dust	Delivery and unloading of raw materials	Air/ windborne pathway	Dump sink 1 is a 'reverse in' dump sink and is enclosed by a roof, three sides, a plastic curtain on the front end and has a reverse pulse bag dust extraction system. Dump sink 3 is a 'drive through' dump sink and is enclosed by a roof, two walls and has drop down flaps on the front end and draw close curtains on the rear end. The dump sink has a burnley baffle system to reduce dust when unloading.
	Storage of oat husk		Oat husk is stored in dedicated storage silos.
	Storage of hay/straw		Straw/hay is stored in a two walled enclosure, with the back row of straw acting as a rear third wall.
	Bulk storage shed		Dust doors are fitted to the storage shed and the shed doors are closed during loading operations. The storage shed is cleaned daily. Doors remain closed at all times except to allow personnel or vehicle access.
	Grinding of hay/straw		Grinding of straw takes place in the tub grinder that is equipped with a dust extraction cyclone. The tub grinder is located in a 2.5 sided semi enclosed shed with a screen on the open side.
	Handling of raw bulk materials		Bulk raw material is transported via covered conveyors fitted with dust extraction bag filters.
	Feed milling, pelletising and drying		Feed milling, pelletising and drying takes place in an enclosed building with cyclone dust extraction systems that discharge to the atmosphere via stacks at the top of the mill building.
	Storage of finished product		Finished product is stored in silos or in the bulk storage shed or in packages/bags outside in storage bays. No storage of loose finished product outside of silos or sheds.
	Dispatch of final product		Loading takes place within the loading area that has sheeting installed around the chute to protect the load out operations from wind. Dust reduction socks are used at the bottom of product loading chutes. Loading of bulk product also takes place in the bulk storage shed with the doors closed.
	Loading of loose product outside using front end loader		No controls implemented to control dust from this source.
	Spilt liquid or solid material/general house keeping		Street sweeper operated at least once a day. Site is inspected daily and cleaned as required. All bulk material is blown by blower vacs into the dump sinks after receival.
	Accumulated dust on or around infrastructure and equipment		Street sweeper operated at least once a day. Site is inspected daily and cleaned as required.

5.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020a), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder from its assessment.

Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 4 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises *(Guideline: Environmental siting* (DWER 2020b)).

Table 4: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	**Distance from prescribed activity**
Closest residential receptor	650 metres south-west from the boundary of premises
Dust sensitive commercial and industrial premises	Immediately adjacent to the premises
Environmental receptors	**Distance from prescribed activity**
TEC/PEC	Approximately 400m east (priority 3 banksia dominated woodland of the swan coastal plain buffer)

5.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020a) for the dust emission sources considered and take into account potential source-pathway and receptor linkages as identified in Section 5.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 5.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 5. The Revised Licence L7438/2000/9 that accompanies this Amendment Report authorises emissions associated with the operation of the premises i.e. animal feed manufacturing activities. The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 5. Risk assessment of potential dust emissions and discharges from the Premises operation

Risk Event					Risk rating[1] C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions[2] of licence	Justification for additional regulatory controls
Source/Activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Licence Holder's controls**				
Operation								
Delivery and unloading of raw materials	Dust	Air/windborne pathway causing impacts to health and amenity	Residence 650 metres away, Businesses likely to be impacted by dust emissions adjacent to the boundary of the premises.	Refer to Section 5.1	C = Moderate, mid level impacts to amenity of neighbouring businesses. L = Possible, could occur at some time **Medium Risk**	Yes	1 and 7	Delivery and unloading of raw materials has the potential to generate dust emissions causing mid-level impacts to amenity of neighbouring businesses if not appropriately controlled. **Licence holder controls** Trucks delivering raw materials to the premises have their trailers covered with tarpaulins. Raw materials are only delivered to the designated dump sinks that have curtains/doors fitted. Dump sink 1 is fitted with a reverse pulse dust filter and dump sink 3 is fitted with a burnley baffle system. The delegated officer considers the above controls are critical for mitigating dust emissions from the unloading of raw materials and ensuring there is no unacceptable level of risk of health and amenity impacts to nearby receptors during unloading operations. The above controls have therefore been imposed on the licence operational controls through condition 1. The delegated officer considers that the premises should only accept trucks that have their trailers covered to ensure trucks entering the facility are not contributing to dust emissions. Condition 7 has been included on the licence to require this control is implemented by the licence holder.
Raw ingredient silos					C = Slight, Low level impact to amenity of adjacent businesses L = Unlikely, Will probably not occur in most circumstances **Low Risk**	Yes	1 and 8	**Licence holder controls** The premise currently utilises eight 160 tonne and four 2000 tonne raw ingredient silos to store bulk dry raw materials. Raw ingredient silos are inter-connected and serviced by a reverse pulse dust extraction system. The delegated officer has determined that the use and maintenance of the dust filters is critical to controlling dust emissions from the silos so has include the use of dust filters as a requirement as condition 1 on the licence. The delegated officer has determined that the storage of bulk dry raw ingredients within dedicated bins, storage areas, silos, hoppers or within bags in the bulk storage shed is critical to controlling dust emissions so has included this as a requirement in condition 8.
Storage of dry loose material including oat husks					C = Moderate, mid level impacts to amenity of neighbouring businesses. L = Possible, could occur at some time **Medium Risk**	No	1 and 8	The storage of loose oat husk and other bulk dry raw materials (ingredients) in the bulk storage shed has been identified as a significant dust source if the building is not sealed as it is directly adjacent to neighbouring industrial premises. Emissions from this source are considered a possible risk of mid-level impacts to amenity of neighbouring businesses if not appropriately controlled. **Licence holder controls** The licence holder has installed doors on the storage shed and ensures that the doors and windows are closed other than when personnel entering or exiting the shed. The delegated officer has determined that ensuring the storage shed doors are closed is critical to ensuring that dust emissions from the shed do not impact neighbouring businesses so has required these controls by amending the licence to include conditions 1 and 8. **Additional Controls** Storage of bulk dry raw materials, including oat husks, in the storage shed has potential to impact neighbouring premises due to their very close proximity. The Delegated Officer has specified via condition 8 that storage of dry bulk raw materials is not allowable within the storage shed (only bulk product or packaged product or raw materials is allowed within the shed).
Storage of straw/hay					C = Moderate, mid level impacts to amenity of neighbouring businesses. L = Possible could occur at some time **Medium Risk**	Yes	1 and 8	The storage of straw/hay outside has been identified as a source of dust emissions impacting adjacent businesses. **Licence holder controls** Straw/hay is only unloaded and stored in the designated straw/hay storage area that is a semi enclosed hanger. The delegated officer has determined that ensuring the straw/hay is only stored in the dedicated storage area is critical to mitigating the risk of dust emissions from straw/hay impacting neighbouring businesses so has required these controls by amending the licence to include conditions 1 and 8 requiring straw/hay to be stored in the dedicated straw/hay storage area.
Bulk storage shed					C = Moderate, mid level impacts to amenity of neighbouring businesses. L = Possible could occur at some time **Medium Risk**	No	1, 2, 3, 4 and 8	**Licence holder controls** Dust doors are fitted to the bulk storage shed and the shed doors are closed during loading operations. The storage shed is cleaned daily. The delegated officer has determined these controls are critical to controlling dust emissions from the storage shed so has included these requirements on the licence in condition 1. Condition 2, 3 and 4 requires that the bulk storage shed is inspected daily and any built-up loose material is cleaned up. Condition 8 also restricts what materials can be stored within the bulk storage shed. **Additional controls** The delegated officer has determined that doors should be kept shut unless personnel/vehicles are entering or exiting to control dust emission from the bulk storage shed this has been included as a requirement of condition 1.
Grinding of hay/straw					C = Moderate, mid level impacts to amenity of neighbouring businesses. L = Unlikely, the risk event will probably not occur in most circumstances **Medium Risk**	Yes	1 and 11	**Licence holder controls** Grinding of straw takes place in the tub grinder that is equipped with a dust extraction cyclone The delegated officer has determined the operation of the dust extraction system on the straw/hay grinder is critical to controlling dust emissions from the grinding of straw/hay. Condition 1 has included the requirement for the use of the dust extraction system on the straw grinding tub. Condition 11 authorises the emission from the dust extraction system.

Risk Event					Risk rating[1] C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions[2] of licence	Justification for additional regulatory controls
Source/Activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Licence Holder's controls**				
Feed milling, pelletising and drying					C = Slight, Low level impact to amenity of adjacent businesses L = Unlikely, Will probably not occur in most circumstances **Low Risk**	Yes	1 and 11	**Licence holder controls** The mill house is fully enclosed and has cyclones and dust filters to extract dust prior to discharge of air to the atmosphere through vents at the top of the mill house. The delegated officer has determined that the use of dust extraction systems on the milling, pelletising and drying of the feed material is critical to controlling dust emissions from the processes so has included the requirement for dust filtration systems in condition 1 and included them as authorised emission points in condition 11.
Storage of finished product					C = Slight, Low level impact to amenity of adjacent businesses L = Unlikely, Will probably not occur in most circumstances **Low Risk**	Yes	8	**Licence holder controls** Finished products are only stored in designated storage silos or loose in the bulk storage shed within dedicated bunkers or bags. The Delegated Officer has determined the storage of product in this way is critical to minimising associated dust emissions so has included these controls as condition 7 on the licence.
Dispatch of final product					C = Slight, Low level impact to amenity of adjacent businesses L = Unlikely, Will probably not occur in most circumstances **Low Risk**	Yes	1	**Licence holder controls** Loose products are currently loaded at designated loading areas through a chute that is equipped with a dust reduction sock or loaded within the bulk storage shed with the door closed. The delegated officer has determined these loading practices are critical to minimising dust emissions associated with loading product so these controls have been included on the licence through condition 1.
Loading of bulk product outside using front end loader					C = Major, High level impacts to amenity of neighbouring businesses L = likely Impacts will likely occur when this activity is undertaken **High Risk**	No	1	The licence holder has previously loaded some loose products outside into trucks using a front-end loader and this has been identified as a significant source of dust. There are no controls in place to control dust emissions when loading occurs in this manner. This activity is likely to have high level impacts to the amenity of neighbouring business with the potential of dust lift off and high concentrations of dust crossing the premises boundary. **Additional controls** The delegated officer has determined that the risk from loading trucks with loose product using a front-end loader outside of buildings is high with no appropriate controls and should not occur. Condition 1 includes a requirement for all finished product to be loaded only in the loading areas via the loading chutes or in the bulk storage shed to restrict the loading of trucks using a frontend loader outside.
Spilt raw ingredients or product; and Accumulated dust on or around premises infrastructure and equipment					C = Moderate, mid level impacts to amenity of neighbouring businesses. L = Possible, could occur at some time **Medium Risk**	Yes	2, 3 and 4 9 and 10	Spilt solid material and accumulated dust on the premises has the potential to create dust emissions if not cleaned up and can have impacts on the amenity of neighbouring businesses. **Licence holder controls** The licence holder currently inspects and sweeps the site daily. The delegated officer has determined that the clean-up of spilt material and that waste material is appropriately stored in enclosed bins is critical to controlling dust emissions. Conditions 2, 3 and 4 have been included on the licence to require the licence holder to inspect the areas of the premises likely to have spilt material and to clean up spills and buildup of loose material daily. **Additional Controls** Aerial imagery indicates build-up of dust may be occurring on the mill buildings and silos. The delegated officer has determined that where a there is a sufficient degree of accumulated dust on premises infrastructure it is viewed as dust source with a medium risk of causing health or amenity impacts as it is in an elevated position, subject to wind effects which can pick up and carry dust off the premises. Conditions 9 and 10 have been included in the licence requiring the licence holder to investigate for the presence of dust accumulation on the mill building, dump sink 1 and silo roofs and potential sources which may be contributing to any accumulated dust identified, and develop an action plan to address areas identified as dust sources due to having a sufficient degree of dust accumulation which is likely to be caused by the premises activities. The licence holder will be required to submit an Infrastructure Dust Accumulation Investigation and Action Report to the CEO detailing the investigation and proposed action plan outcomes.
	Contaminated stormwater	Run off to drains that discharge off site	Soil, surface and groundwater		C = Minor, localised low level impacts to groundwater. L = Possible could occur at some time **Medium Risk**	Yes	1	**Licence holder controls** Contaminated stormwater is directed to a sand filtration area. These requirements have been carried over from the previous licence as requirement within condition 1.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020a).

6. Consultation

Table 6 provides a summary of the consultation undertaken by the department.

Table 6: Consultation

Consultation method	Comments received	Department response
Local Government Authority advised of proposal 6 January 2023	The City of Canning replied on 30 January 2023 confirming that the city had been in receipt of a number of complaints and referred them to DWER.	The Department notes the City of Canning comments and will continue to respond to complaints as required.
The review was advertised on the DWER website from 6 January 2023	No comments received from 3rd parties	NA
Neighbouring businesses were notified directly of licence review 6 January 2023	The department received three replies from stakeholders Replies included the following comments: • Milne feeds should be required to abide by its licence conditions. • The licence should mandate that any vehicles on site cover their loads. • There should be regular monitoring and reporting of air quality the monitoring to be conducted by a third party. • The licence should define types of dust better. 'Visible dust' does not take into account the effects of very fine dust on health and the environment. • Milne feeds has a significant rodent problem • Odours are also a problem and should be addressed in the licence. • Traffic congestion caused by truck movements are a major nuisance.	The licence has been amended to better control dust on the premises. As per section 2 of this decision report, the review focused on dust emissions from the premises to ensure accuracy and adequacy of licence conditions and includes some other minor amendments to include site infrastructure on the licence that does not relate to dust. Amendments have been made to the licence to ensure the licence holder's dust controls are required to be implemented and additional controls have been included where necessary to minimise the risk of dust emissions from the premises Traffic and its related impacts which occur outside the premises boundary are not within the scope of assessments under Part V of the EP Act rather are a matter considered by local government in development approval processes under the *Planning and Development Act 2005.* Similarly, the department's regulatory framework applies to emissions and discharges from the premises therefore does not apply to rodent activity which is a matter for LGA and public health.

7. Licence Holder comments on the draft

The Licence Holder was provided with the draft Decision Report and draft issued Licence on 16 November 2023. The Licence Holder provided comments on 15 December 2023, a second draft licence was issued on 14 May 2024 with the Licence Holder providing further comments on 7 June 2024. All comments on all draft documents provided, along with the department's response are summarised in Appendix 1.

8. Decision

Based on this assessment, the delegated officer has determined to amend the licence as outlined in section 5. The reasons for this decision are:

- Receptors are adjacent to the premises and can be impacted by dust emissions associated with animal feed manufacturing;
- The risk based conditions included in the amended licence are considered adequate to manage the risk of dust emissions impacting receptors, if the licence holder complies with the conditions.
- The department is aware that the licence holder has in the past
  i. loaded material outside of the designated loading areas; and
  ii. stored loose materials in the bulk storage shed that can escape the building resulting in significant dust emissions and impacted receptors.

  Conditions have been included on the amended licence to address these issues.
- Bulk dry raw ingredients/materials have the potential to create dust emissions and can cause impacts beyond the premises boundary if not appropriately managed on site.
- The following sources were identified as having an elevated risk dust emissions which could impact receptors:
  - Storage of loose bulk dry raw materials in the bulk storage shed;
  - Having the door and windows of the bulk storage shed open; and
  - The use of front-end loaders to load products into trucks in the open.

  Additional conditions have been added to the licence to restrict these activities from happening on the premises.
- Housekeeping and inspections occur at ground level therefore do not target elevated locations such as building and silo roofs. Accumulated dust is a potential dust source as it can be picked up and transferred beyond the premises boundary. Further investigation by the licence holder is required to determine whether dust accumulation is occurring on elevated sources.
- Consideration of the licence holder's submission and the delegated officer's response to the points raised in Appendix 1.

9. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

9.1 Summary of amendments

Table 5 (conditions of licence column) and Table 7 in Schedule 1 provides a list of the new conditions and previous conditions and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020a, *Guideline: Risk Assessments*, Perth, Western Australia.
3. DWER 2020b, *Guideline: Environmental Siting*, Perth, Western Australia.
4. Milne Feeds 2022, Milne Feeds New Mill overview and Dust Management Improvements (Submitted as part of W6593/2021/1 application RFI received 9/3/2022)
5. Exodus 2021, *Milne Feeds Welshpool – Dust Management Plan*

Schedule 1: Previous condition version new conditions

Table 7: Condition mapping Previous Licence to Amended Licence

Previous Condition		New Conditions
1	The licensee shall store environmentally hazardous chemicals Including, but not limited to, fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) within low permeability ($1x10^{-9}$ metres per second or less) compound(s) designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of substances stored In the compound.	Replaced by requirements in condition 1 for storage of liquids.
2	The licensee shall only (receive and dispatch materials from within a low permeability ($1x10^{-9}$ metres per second or less) compound designed to contain not less than 110% of the volume of the vessel used for the transportation of the material.	
3	The licensee shall ensure that the compound(s) required by condition 1 and condition 2: (i) be graded or include a sump to allow recovery of liquid; (ii) be chemically resistant to the substances stored; (iii) include valves, pumps and meters associated with transfer operations wherever practical. Otherwise the equipment shall be adequately protected (e.g. bollards) and contained in an area designed to permit recovery of chemicals released . following accidents or vandalism; · · (iv) be designed such that jetting from any storage vessel or fitting will be captured within the bunded area, in accordance with Australian Standard 1940; (v) be designed such that chemicals which may react dangerously. if they come into contact, are in separate bunds in the same compound or ln different compounds; and (vi) be controlled such that the capacity of the bund is maintained at all times (e.g. regular inspection and pumping of trapped uncontaminated rain water).	
4	The licensee shall immediately recover, remove or dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability	Condition replaced by requirements in condition 1 relating to operational

	compound(s).	requirements for liquid storage tanks.
5	The licensee shall keep a record of any incident that included the loss of chemicals, including but not limited to, fuel, oil or other hydrocarbons and provide a summary of each Incident in the annual audit compliance report required by condition 14.	Replaced by condition 14
6	The licensee shall ensure that no visible dust is discharged beyond the boundary of the premises.	Replaced by condition 5
7a	The licensee shall ensure that all loading and/or unloading areas are fitted with doors or other screen doors.	Replaced by the requirements of condition 1.
7b	The licensee shall ensure that the doors or other screen devices required by condition (a) are kept in the closed position when there is a potential for the generation of airborne dust.	Replaced by condition 1
8	The licensee shall maintain a bitumen, coarse gravel or other dust suppressant roadbase cover, over the weighbridge, transfer area and other traffic areas to ensure that no visible dust is discharged beyond the boundary of the premises.	Replaced by the requirements of condition 1
9	The licensee shall employ routine maintenance and housekeeping practices to prevent the accumulation of waste in or around the premises that may lead to the generation of visible airborne dust.	Replaced by the requirements of condition 2, 3 and 4
10a	The licensee shall ensure that all air emissions from the hammer mills and pellet cooler are discharged through dust collection equipment.	Replaced by the requirements of condition 1 and condition 10 Authorised emission points
10b	The licensee shall ensure that the dust collection equipment required by condition 10(a) is designed, operated and maintained to ensure that no visible dust is discharged beyond the boundary of the premises.	
11a	The licensee shall ensure that all contaminated stormwater is directed through a sand filtration area, prior to being discharged from the premises.	Replaced by requirements of condition 1
11b	The licensee shall ensure that the sand filtration area required by condition 11(a) is maintained to effectively remove all contaminants from the stormwater prior to the stormwater being discharged from the premises.	
13	The licensee must only accept onto the premises waste of a waste type, which does not exceed the corresponding rate at which waste is received, and which meets the corresponding acceptance specification set out in Table 1.	condition remains unchanged but relabeled as condition 6
13a	The licensee shall record all complaints received that relate to emissions and discharges at the premises	Replaced by condition 12

13b	The licensee shall ensure that the complaints recorded as required by condition 13(a) are compiled in a written register. For each such complaint the following information shall be recorded: (i) the date and time of the complaint; (ii) a general description of the complaint; (iii) any on-site activities (if any) that may have led to the emission; (iv) wind direction, wind speed and temperature at the time of the complaint; and (v) measures or actions taken to prevent off-site impacts or pollution from the premises.	
13c	The licensee shall provide to the director a copy of the written register as required by condition 13(b) with the annual audit compliance report required by condition 14.	Replaced by condition 13
14	The licensee shall by 30 November in each year, provide to the Director an Annual Audit Compliance Report in the form of Attachment 2 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the premises, during the period beginning 1 November the previous year and ending on 31 October in that year.	Condition updated to
NA	NA	Conditions 15 and 16 have been added to the licence as standard record keeping conditions relating to the licence requirements, fees and incidents

Appendix 1: Summary of Licence Holder's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder's comments on draft licence provided on 156/12/2023	Department's response/ clarifications	Summary of Licence Holder's comments/ response to 2nd draft licence, provided on 7/06/2024	Department's response
1, Item 2: Dump sink 1 and 2	Request to include dump sink 4 (internal dump sink) as a designated unloading infrastructure for bulk raw material (requirement a).	Please clarify if there are any dust extraction or suppression systems in place so requirements can be included if there are (i.e. as per 2 (d) and (3) for sinks 1 and 3.	Clarified that dust extraction/suppression systems are not applicable as dump sink 4 is fully enclosed within the main mill building and used for high density materials opposed to dusty materials as with dump sink 1 and 2.	Dump sink 4 has been added as designated unloading infrastructure.
	Clarify that curtains are partial drop down curtains at dump sink 1 and 3 (requirement b).	It is not necessary to specify that the curtains are partial, the department has photographic evidence of the curtains that are in place. They must remain closed during unloading.	Noted.	N/A
1, Item 3: Mill building	Clarify that pellet press and pellet cooler cyclones are the same (requirement c and d).	Requirement c has been removed, requirement d (now c) has been updated to ensure cyclones are operating when the associated pellet cooler is operating.	Noted.	N/A
	Clarify that the RIB 18 (Recipe ingredient bin 18) dust filter must be operated only when the RIB 18 blower system is operating (requirement g, now f).	Please clarify all methods of material transfer to RIB 18 silo that are used, so we can confirm the requirement is accurately worded.	Confirmed that material can be mechanically conveyed into this bin or blown in using the blow transfer system.	Requirement has been updated to reflect this clarification. Additionally, RIB 18 has been defined within definitions table.
1, Item 4: Silos 1-8	Clarify that the reverse bag dust filter must be operated when a silo is	Please clarify all methods of material transfer to the silos that are used, so we can confirm the	Silo 2 has a blowline installed to receive straw and also has the ability to convey material from dump	Delegated officer considers it appropriate for the dust filter to be only operational when

Condition	Summary of Licence Holder's comments on draft licence provided on 156/12/2023	Department's response/ clarifications	Summary of Licence Holder's comments/ response to 2nd draft licence, provided on 7/06/2024	Department's response
	receiving blown transferred material (requirement a).	requirement is accurately worded.	sink 1, a dedicated filter is installed to Silo 2. Silos 1,3,4,5,6,7,8 materials are conveyed into silos in a slow controlled manner, i.e. not blown / air forced. These silos are interconnected with a common filter unit. Common filter unit is installed to assist drawing material into silos rather than dust filtering.	receiving blown transferred materials, no change has been made to the requirement.
1		Licence holder to confirm whether the 4x 2000t grain silos are also serviced by the same dust filter (as 1-8) or if not whether they are serviced by a separate filter system as they are not currently identified in the licence.	4 x 2000t silos (Silos 9-12) are not serviced by the same filters as silos 1-8. Silos 9-12 are dimensionally larger silos using slow mechanical conveyor systems to load. Given their large volume and controlled method of filling, the silos have little air displacement during filling operations. A filter system is in place on the lower transfer conveyor system for these silos.	Noted.
1, Item 7: Straw tub grinder	Confirmed to form part of a single side of semi enclosed shed (requirement a).	Please confirm that Milne can comply with requirement 7a as written.	Confirmed that the straw loading area is fitted with wind reducing screens to semi enclose as far as practicable, while maintaining forklift operations.	Noted.
1, item 8: Final product loading areas	Clarify that bulk final product must be loaded into trucks with at least one door closed (requirement a(ii))	As per the risk assessment in section 5.2 the storage and dispatch of final product at the bulk storage shed is considered a medium risk activity with the possibility of mid level impacts to amenity of neighbouring businesses. Product being loaded into trucks with all shed doors closed has been identified as a vital control to maintaining an acceptable level of risk and will remain	Noted.	N/A

Condition	Summary of Licence Holder's comments on draft licence provided on 156/12/2023	Department's response/ clarifications	Summary of Licence Holder's comments/ response to 2nd draft licence, provided on 7/06/2024	Department's response
		as an operational requirement for the bulk storage shed.		
	Clarify that the bulk out loading (BOL) area has dust reducing screens while SCA has dust reduction socks (requirement b)	To clarify the departments understanding, please provide photographic evidence of the dust controls for both outloading areas.	Photographic evidence of out loading areas has been provided showing SCA area utilises both dust reducing socks and partial screens and the BOL has dust curtains installed.	The delegated officer considers the screens/socks installed as sufficient controls. Requirement c has been added to authorise use of dust reducing screens at the bulk load out area as an alternative control to dust reduction socks.
1, Item 9: Bulk storage shed	Confirmed that bulk material will not be stored in bulk storage shed (requirement a)	N/A		
8, Table 4	Commented that packaged raw material and packaged finished product is additionally stored in the dedicated bag store and dome tents as well as the bulk storage shed.	Bulk bag storage area and dome shelters included within storage requirements, noting that these areas are adjacent to the bulk storage shed.	Noted.	N/A
9 and 10	Commented that Milne do not have the resources to compile required dust accumulation investigation and action report and expressed concern that that the report would be inaccurate due to ongoing developments in the area. Suggested implementing additional dust inspections of the accessible identified	As summarised in section 4 of this decision report the department and City of Canning have received ongoing dust complaints from adjacent businesses for an extended period of time, and dust accumulation on mill and silo roofs has been identified as a potential contributor to fugitive dust emissions from the premises. The delegated officer considers it necessary to investigate the suspected dust accumulation on the mill buildings and silos to confirm whether this is a fugitive dust source which may be impacting amenity so that it can be addressed if required. This is considered to be a necessary control	Noted.	N/A

Condition	Summary of Licence Holder's comments on draft licence provided on 156/12/2023	Department's response/ clarifications	Summary of Licence Holder's comments/ response to 2nd draft licence, provided on 7/06/2024	Department's response
	emission sources.	as if dust is accumulating on top of mill buildings and silos it is likely to be an ongoing source of dust emissions despite any operational controls implemented. As the condition does not specify how the investigation is to be undertaken the licence holder is able to investigate and implement suitable methodologies (e.g drone technologies) in order to investigate the presence of dust accumulation on roofs and identify whether premises activities or other sources are the likely cause of the dust accumulation. The wording of the condition has been adjusted to make it clear that the licence holder is only required to develop an action plan where dust accumulation has been identified as likely to have been caused by premises activities. It is also clarified that the investigation is only required to identify dust accumulation (i.e there is evident build up of dust over time) and not intended to identify any area where dust is simply present. There must be an accumulation of dust, which is attributed to premises activities to trigger the need for an action plan. The department is aware of ongoing developments in the vicinity of the premises although notes that the City of Canning visited affected businesses and concluded that the dust impacting them appeared to be of grain/feed product in nature.		
11, Table 5	Commented that RIB 18 dust filter and dump sink 1 filter are additional emission points for particulate matter	Additional emission points added to table 4	N/A	N/A
Definitions	Defined Aerogel, P150 and salmat as processing	Definitions of the liquid additions have not been included within the licence as they are not required.	N/A	N/A

Condition	Summary of Licence Holder's comments on draft licence provided on 156/12/2023	Department's response/ clarifications	Summary of Licence Holder's comments/ response to 2nd draft licence, provided on 7/06/2024	Department's response
	liquid additions			
		Department requested a map that shows locations of the stormwater sand infiltration area and an updated map for the liquid storage tanks	Maps Provided.	Map has been included within the licence as Figure 6 and Figure 3 respectively.