



Application to renew a licence

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

Licence Number	L8295/2008/4
Licence Holder	Ixom Operations Pty Ltd
ACN	600546512
File Number	DEC9875/1 – FA260255
Premises	Zephyr Hypochlorite Plant Area 2, 52-64 Sheffield Road Welshpool WA 6106 Legal description Part of Lot 2 on Diagram 72910 Certificate of Title Volume 2171 Folio 480 As defined by the Premises map and coordinates attached to the issued licence.
Date of Report	21/12/2023
Decision	To grant a licence

Neville Welsh
SENIOR INDUSTRY REGULATION OFFICER
REGULATORY SERVICES
Officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

1. Decision summary

Under the regulatory framework the Delegated Officer decided to process the application to renew licence L8295/2008/3 without conducting any additional risk assessment.

The licence will be issued with a licence expiry date of 23 December 2027 which takes into account that the licence holder's property lease expires on 30 June 2028 and in order to maintain the existing licence anniversary date. This is consistent with the *Guidance Statement on Licence Duration 2016*.

In renewing the licence the Delegated Officer has determined to:

- update the format and appearance of the licence;
- update (reduce) the assessed category 31 production capacity as requested by the licence holder;
- transfer existing regulatory controls and conditions to the new licence;
- revise licence conditions (administrative changes);
- replace the word "shall" in the former condition set, with the word "must" in the new condition set;
- remove redundant conditions;
- incorporate licence amendments issued prior to the replacement licence;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements).
- Include premises boundary coordinates on the licence.

As a result of the above, the Delegated Officer decided to grant Licence L8295/2008/4, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 13 October 2023 Ixom Operations Pty Ltd (licence holder) applied to renew licence L8295/2008/3, as the licence is due to expire on 23 December 2023. The licence was granted to the licence holder for the premises located at 52-64 Sheffield Road Welshpool WA (Premises).

The licence relates to prescribed premises categories as described in Table 1.

Table 1: Premises category description and production / design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Production / design capacity
Category 31 Chemical manufacturing: premises (other than premises within category 32) on which chemical products are manufactured by a chemical process.	10,000 tonnes per annual period

Sodium hypochlorite is manufactured at the premises through the reaction of chlorine liquid and dilute caustic soda within a dedicated reactor.

The licence holder has requested that the licence renewal process incorporates reducing the production capacity from 50,000 to 10,000 tonnes per annual period.

A summary of the infrastructure at the premises is provided below:

- Chlorine drum storage area and chlorine manifold;
- Process water tank;
- Caustic soda tank;
- Hypochlorite plant;
- Scrubber unit and stack;
- Circulating tank;
- Hypochlorite storage tanks;
- Tanker loading area;
- Effluent tank.

In summary, the operation involves moving chlorine drums by forklift from the chlorine store to the chlorine manifold located in the hypochlorite plant building. Sodium hydroxide is brought in by tankers and pumped to the holding tank – this then passes into the scrubber and then the hypochlorite plant where it is combined with the chlorine to produce hypochlorite. The scrubber is activated if there is a chlorine gas leak.

Any effluent generated in the plant is pumped to the effluent tank and transported off site for disposal.

The chlorine drum storage area handles additional chlorine drums which are sold directly to customers.

3. Regulatory framework

The Delegated Officer has not conducted a full review and risk assessment of emissions and discharges from the Premises in line with the Department of Water and Environmental Regulation's (Department) *Work Instruction: Industry Regulation, Licensing position – COVID 19 response, October 2022*. This work instruction is currently being reviewed and expanded to address licences that expire beyond 30 June 2023.

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>

4. Considerations for issuing a new licence

4.1 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises by providing a current copy of their lease extension with the property owner.

4.2 Prescribed premises details

The requested premises category is consistent with the category previously assessed by the Department. The Applicant has requested a reduction in the production capacity detailed in section 2.1 above - however no other changes to the previously assessed activities. The reduction in the production capacity does not require a new risk assessment and an administrative licence renewal has been undertaken.

4.3 Planning and other non-DWER approvals

The licence holder has informed the Department that it has planning approval and all other non-DWER statutory approvals for the activities on the Premises.

The licence holder is responsible for obtaining planning approval plus all other non-DWER approvals required for the project. If other non DWER approvals are not obtained, then the project is at risk of a potential breach of Western Australian statute governing that approval.

4.4 Compliance and enforcement actions

There have been no incidents or complaints identified at the Premises by the Department. There have been no enforcement actions taken against the occupier regarding the licence.

4.5 Consultation

The Delegated Officer undertook the consultation for the application to renew the licence as per Table 1.

Table 1: Consultation

Consultation method	Comments received	Delegated Officer's response
Application advertised on the Department's website on 21 November 2023 closing 13 December 2023	No submissions were received.	N/A
City of Canning advised of application on 22 November 2023	No comments received from the City.	N/A
Applicant was provided with the draft licence and decision report on 5 December 2023	Summary of comments received on 12 December 2023 and 15 December 2023 is provided below. <ul style="list-style-type: none">- A signed copy of extension of lease for the property relevant to the premises was submitted. The licence holder reviewed the draft licence and proposed no additional changes whilst waiving the remaining consultation period.	The Delegated Officer has accepted the information provided by the licence holder as evidence of legal occupancy of the premises. The Delegated Officer notes the licence holder has not requested any changes to the decision report and licence.

5. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

Table 3 summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

Table 3: Licence conditions changes, description and rationale

Expiring licence condition / schedule	New condition / schedule	Description and rationale
1.1.1 to 1.1.4	Not applicable	Conditions removed as they are redundant. These conditions are replaced with the new interpretation and definitions sections of the licence. Definitions list has been updated in accordance with the current standard. Redundant defined terms have been removed.
1.2.1	Not applicable	Removed redundant condition. This condition is now addressed in the Interpretation section of the issued licence.
1.2.2	Not applicable	Removed redundant condition as it is not an enforceable condition.
1.2.3	Not applicable	Removed redundant condition as it is not an enforceable condition. The licence holder must comply with the <i>Environmental Protection (Unauthorised discharges) Regulations 2004</i> .
1.3	Not applicable	Removed redundant condition as it does not detail any specific requirement.
2.1.1	Not applicable	Removed redundant condition. This condition is addressed through conditions 11 and 3 in the renewed licence.
2.2.1	Condition 1	Condition updated to standardized condition for authorised discharge points
2.2.2	Condition 2	Minor changes to condition wording.
2.2.3	Condition 3	Minor changes to condition wording
2.2.4	Condition 4	Minor changes to condition wording
2.3, 2.4, 2.5, 2.6, 2.7, 2.8	Not applicable	Removed redundant conditions as they do not detail any specific requirement.
3.1.1	Condition 5	Change to condition wording in accordance with current standard
3.1.2	Condition 6	Minor change to condition wording
3.2.1	Condition 7	Updated condition format and wording in accordance with current standard
3.2.2	Condition 8	Minor change to condition wording
3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9	Not applicable	Removed redundant conditions as they do not detail any specific requirement.
4	Not applicable	Removed redundant condition as it does not detail any specific requirement
5.1.1	Condition 12	Condition wording updated in accordance with current standard
5.1.2	Not applicable	Condition removed as it is deemed redundant in accordance with the current standard.
5.1.3	Condition 10	Condition wording updated in accordance with the current standard.
5.1.4	Condition 9	Condition wording updated in accordance with the

Expiring licence condition / schedule	New condition / schedule	Description and rationale
		current standard.
5.2.1	Not applicable	Condition removed in accordance with the licence amendment notice dated 16 May 2022. Note that the reference to Annual Audit Compliance Report (in the redundant condition) is now addressed in new Condition 10.
5.3	Not applicable	Removed redundant condition as it does not detail any specific requirement.
Not applicable	Condition 11	Record condition added in accordance with the current licence template and as necessary for the effective administration of the licence.
Schedule 1 – Maps Premises map and map of emission point	Schedule 1 – Maps Premises and emission point map	Minor changes to figure description only.
Not applicable	Schedule 2 Premises boundary coordinates	The premises boundary coordinates schedule/table has been added to the licence in accordance with current standards.
Schedule 2 – Reporting and notification forms – Annual Audit Compliance Report proforma.	Not applicable.	AACR form removed as this form has been superseded by the new form referred to in the issued licence.