

Amendment Report

Application for Licence Amendment

Part V Division 3 of the Environmental Protection Act 1986

Licence Number L8411/2010/2

Licence Holder A.C.N 065 925 402 Pty Limited

ACN 065 925 402

File Number DEC9108/1~2

Premises Silica Sand Storage Facility

1576 Princess Royal Drive

Port Albany WA 6330

Legal description -

Part of Lot 1576 on Deposited Plan 38810

As defined by the coordinates in Schedule 2 of the amended

licence

Date of Report 28 November 2022

Decision Revised licence granted

A/Manager, Resource Industries Regulatory Services

an officer delegated under section 20 of the Environmental Protection Act 1986 (WA)

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1. Decision summary

Licence L8411/2010/2 is held by A.C.N 065 925 402 Pty Limited (trading as AustSand Mining) (licence holder) for the Silica Sand Storage Facility (the premises), located at 1576 Princess Drive, Port Albany.

This Amendment Report documents the assessment of potential risks to the environment and public health from potential changes to the emissions and discharges associated with an increased throughput at the premises. As a result of this assessment, amended licence L8411/2010/2 has been granted.

The amended licence issued as a result of this amendment consolidates and supersedes the existing licence previously granted in relation to the premises. The amended licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

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 https://dwer.wa.gov.au/regulatory-documents.

2.2 Application summary

On 21 September 2022, the Licence Holder submitted an application to the department to amend licence L8411/2010/2 under section 59 and 59B of the *Environmental Protection Act* 1986 (EP Act). The amendment seeks to increase throughput from 250,000 tonnes per year to 320,000 tonnes per year of bulk material loading on to vessels.

This amendment is limited only to changes to Category 58 activities from the existing licence. Table 1 below outlines the proposed changes to the existing licence.

Table 1	Proposed	throughput	capacity changes
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Category	Current design capacity	Proposed design capacity	Description of proposed amendment
58	18,000 tonnes per day conveyor capacity and a total maximum annual capacity of 250,000 tonnes per year	18,000 tonnes per day conveyor capacity and a total maximum annual capacity of 320,000 tonnes per year	Increased the premises annual throughput capacity to 320,000 tonnes of sand shipped per year

2.2.1 Increased annual throughput capacity

The primary activity at the premises involves the storage, conveying and loading of silica sand to ships for transport to Japan via an open material loading system. Key infrastructure includes a storage area for stockpiling of silica sand, a truck unloading area and a conveyor and ship loading equipment to facilitate the loading of material onto ships for export.

The licence holder currently operates with a conveyor design capacity of 18,000 tonnes per day and is authorised to load a maximum of 250,000 tonnes of silica sand per year. The licence holder is seeking an increase in the authorised annual loading capacity to a maximum 320,000 tonnes per year, with an average 280,000 tonnes per year. The request for an increased throughput supports the licence holder's plan to increase the number of shipments

of silica sand from the premises from 3-5 per year to 6-8 per year.

The proposed throughput increase will increase the number of trucks delivering silica sand to the premises from mining operations in Mindijup (L6798/1993/12) from two trucks operating four days per week to three trucks operating five days per week.

2.3 Consolidation of Licence

As part of this amendment package the department has consolidated the licence by incorporating changes made under the Amendment Notices as summarised in Table 2.

Table 2: Licences consolidated in this amendment

Instrument	Issued	Summary of approval	
L8411/2010/2	27/06/2013	Reissued licence (conversion to REFIRE format)	
L8411/2010/2	29/04/2016	Notice of amendment of licence expiry dates Extended the licence expiry date to 25 July 2027.	
L8411/2010/2	28/03/2017	Amendment Notice 1 Increased premises daily design capacity to 18,000 tonnes per conveyor capacity and added infrastructure operational controls	
L8411/2010/2	16/05/2022	Notice of amendment of licence reporting requirements Changed annual environmental reporting frequency to biennially.	

The obligations of the licence holder have not changed in consolidating the licence. The department has not undertaken any additional risk assessment of the premises related to previous Amendment Notices. In consolidating the licence, the CEO has:

- Updated the format and appearance of the licence;
- Deleted the premises description and licence summary section;
- Revised the premises boundary figure in Schedule 1 to make it clear and accurate;
- Deleted the redundant AACR form set out in schedule 2 of the previous licence and advised the licence holder to obtain the form from the department's website;
- Revised licence condition's numbers, removed any redundant conditions and realigned condition numbers for numerical consistency; and
- Corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this amended licence are detailed in Section 6.1.

3. Consultation

Table 3 provides a summary of the consultation undertaken by the department.

Table 3: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website (25/10/2022)	None received	N/A

City of Albany advised of proposal (25/10/2022)	The City of Albany replied on 27/10/2022 confirming that they had no comments in relation to the amendment.	N/A
Southern Ports Authority (25/10/2022)	None received	N/A
Licence Holder was provided with draft amendment on (18/11/2022)	The Licence Holder replied on 21/11/2022 confirming that they had no comments in relation to the draft amendment.	N/A

4. Risk assessment

Table 4 below describes the risk events associated with the amendments consistent with the *Guidance Statement: Risk Assessments* (DER 2020). The table identifies whether the risk events are acceptable and tolerated, or unacceptable and not tolerated, and the appropriate treatment and degree of regulatory control, where required.

Table 4 Risk assessment for the proposed amendments

		Risk Event			1.11.112			
Source/ Activities	Potential emissions	Potential receptors, pathway and impact	Licence holder controls	Consequence rating	Likelihood rating	Risk	Reasoning	New or amended regulatory controls
PROPOSED AME	NDMENT							
Category 58: Bulk material loading or unloading: Increased annual throughput from 250,000 to	Increased noise	Air/windborne pathway causing impacts to health and amenity of residents Nearest residents of Albany are 340 m north of the premises	Reverse beepers on loaders are muffled on arrival at Port, in keeping with other Port operators	Slight Minimal on-site impacts	Unlikely Risk event will probably not occur	Low Acceptable, generally not controlled	The proposed increase in annual throughput will not change hours of operation, the truck unloading or ship loading process or requirement additional equipment. Therefore, the Delegated Officer does not consider that the increase in daily silica sand delivery and ship loading events will noticeably increase noise emissions from the premises and the risk event will not be subject to regulatory controls.	N/A
320,000 tonnes per annum, resulting in increased daily vehicle movement, truck unloading and ship loading operations Note: There is no proposed increase in silica sand storage capacity (currently authorised to store up to 45,000 tonnes)	Increased level of dust, potentially containing toxic compounds		 Existing controls: Trucks are covered during transfer The majority of the fines fraction (<50µm) are removed at the mine site prior to transporting product to the premises The stockpile has an automated sprinkler system for dust suppression The surrounding boundary fence is covered with shade cloth and planting along the eastern boundary assists with preventing dust crossing the premises boundary. Product moisture content is maintained by the sprinkler system so that dust lift on conveyors is minimised during transfer Belt scrapers have been installed on the C1, C2 and C3 conveyors All spillage from roadways and beneath conveyors is cleaned up as part of regular housekeeping A major clean-up of the entire leased site is completed after every shipment After shipping, the ship loading conveyor is washed down and all spillage on the berth is removed All sand collected during the clean-up is disposed to landfill, for use by City of Albany for cover and waste management Telescoping ship loader chute and dust collection systems on the ship loader (baghouse) Proposed controls: Updated Dust Management Plan Two additional sprinklers added to the programmable stockpile sprinkler system 	Minor Low level on-site impacts Minimal off-site impacts	Unlikely Risk event will probably not occur	Medium Acceptable, generally subject to regulatory controls	A previous dust investigation (Environ 2007) undertaken for the premises found that the primary source of dust emissions for the premises is the silica stockpile, not ship loading activities. While the increased shipments will result in a higher number of transport, loading and unloading events each day, there is no proposed change to the method or location of loading activities and dust emissions are unlikely to noticeably increase as a result of the proposed increase to premises production capacity. Further, there is no record of any dust complaints relating to the premises during the previous ten-year period, indicating existing controls are effective in mitigating the risk of dust emission impacts to receptors. A permanent Beta Attenuation Monitor (BAM) to measure particulate matter under 10 microns is also maintained by the Albany Port Authority on the boundary of the Port vicinity and residential area. Monitoring results are generally under 20 ug/m³ (NEPM standard is 50 ug/m³). The Albany Port Authority also have a portable DustTrak which they can use to further investigate the specific source of high levels detected by the BAM. High levels have never been recorded that were attributed to the Austsand Storage Facility. The Delegated Officer considers that the existing licence holder controls are sufficient to reduce the risk to an acceptable level. The total number of sprinklers (including the two additional sprinklers proposed in the application) comprising the programmable stockpile sprinkler system have been specified in Condition 1.	Existing stockpile sprinkler system operational requirements (condition 1), updated to specify two additional sprinklers

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5. Decision

The delegated officer has determined the proposal to increase the annual throughput capacity to 320,000 tonnes per year is unlikely to result in a material change to the overall risk profile of the site. This determination is based on the following:

- The proposal will not change the location or process of loading and unloading activities at the premises, or require an increase in the silica sand stockpile capacity (45,000 tonnes);
- There is no record of dust complaints relating to the premises during the previous ten vears;
- No exceedances of the NEPM standard (50 ug/m³) for particulate matter have been recorded by the BAM on the boundary of the Port vicinity and residential area that have been attributed to the premises; and
- Existing controls are considered sufficient to manage the risk of dust emission impacts to potential receptors.

6. Conclusion

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

6.1 Summary of amendments

Table 5 provides a summary of the proposed amendments relating to this decision report and will act as record of implemented changes. All proposed changes have been incorporated into the amended licence as part of the amendment process.

Table 5: Summary of licence amendments

Condition no.	Proposed amendments
N/A - Prescribed Premises Category table	Revised assessed annual throughput capacity to 320,000 tonnes per year.
1	Specified the number of sprinklers (11) comprising the programmable stockpile sprinkler system. Infrastructure location now depicted on aerial imagery in Figure 1, Schedule 1.

Table 6 provides a summary of amendments to the licence following reformatting into the current licence template and amalgamation of requirements specified in outstanding amendment notices relevant to the premises.

Table 6: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Amended licence condition	Conversion notes
N/A	Expiry Date: 25 July 2018	Expiry Date: 25 July 2025	In accordance with the Notice of Amendment of Licence Expiry Dates (29/04/2016)
1.1.1 1.1.2	Interpretation and definitions	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.

Existing condition	Condition summary	Amended licence condition	Conversion notes	
1.1.3	Australian or other standard	N/A Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.	
1.2.1	Emissions	N/A	Redundant condition. Deleted from licence.	
1.2.2	Pollution control and monitoring equipment	N/A	Redundant condition. Adequately covered by alternative existing conditions. Deleted from licence.	
1.2.3	Storage of environmentally hazardous materials	N/A	Redundant condition. Adequately regulated by the Dangerous Goods Safety Act 2004. Deleted from licence.	
1.2.4	Recovery and removal of spills	N/A	Redundant condition. Adequately covered by EP (Unauthorised Discharges) Regulations 2004. Deleted from licence.	
2.3.1	Recovery of silica sand spillages from the berth	1	Incorporated into new infrastructure operational	
2.3.2	area		requirements table (Table 1)	
2.6.1	Fugitive dust emissions	N/A	Redundant condition as per Amendment notice 1. Deleted from licence.	
3.1.1	General dust monitoring	2	New numbering.	
3.6.1	Monitoring of product stored and shipped	3	New numbering.	
5.1.1	Records collection	6, 7	New numbering (7). New standard condition (6) for the maintenance of accurate and auditable books.	
5.1.2	Site personnel awareness of licence conditions	N/A	Redundant condition. Deleted from licence.	
5.1.3	Annual Audit Compliance Reports	5	New numbering.	
5.1.4	Complaints management	4	New numbering.	
5.2.1	Annual environmental reporting requirements	8	Annual reporting frequency changed to biennially in accordance with the Notice of Amendment of Licence Reporting Requirements (16/05/2022)	

Existing condition	Condition summary	Amended licence condition	Conversion notes
5.2.2			New numbering.
Schedule 1: Maps	Premises map	Schedule 1: Maps	Aerial base map added to Figure 1.
Schedule 2 Reporting & notifications	Annual Audit Compliance Report Form N1 Notification	N/A	Redundant attachment. Deleted from Licence Forms accessed at www.dwer.wa.gov.au Schedule replaced with premises boundary coordinates.

References

- 1. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
- 2. Environ 2007, *Phase 1 of an air quality investigation for AustSand at Albany Port*, prepared for AustSand Mining.