



Application to replace expiring licence

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

Licence Number	L8669/2012/2
Applicant	CSBP Limited
File Number	DER2014/000904
Premises	CSBP Albany Fertiliser Depot 198 Hanrahan Road ALBANY WA 6330 Legal description - Part of Lot 201 on Deposited Plan 76615 As defined by the premises map in Schedule 1
Date of Report	9 December 2021
Status of Report	Final

Jane Dalin
Senior Environmental Officer
Industry Regulation

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

1. Application summary

On 8 September 2021 CSBP Limited (Licence Holder) applied to renew licence L8669/2012/1 as the licence is due to expire on 12 December 2021. The Premises is located at 198 Hanrahan Road, Albany. The licence relates to prescribed premises category described below in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production capacity
Category 33: Chemical blending or mixing - Premises on which chemicals or chemical products are mixed, blended or packaged in a manner that causes or is likely to cause a discharge of waste into the environment.	416,000 tonnes per year

CSBP Albany Fertiliser Depot on-site activities include the receipt (import via Albany Port or transferred by road from the company's manufacturing facility in Kwinana), storage, blending and dispatch of granular fertilisers. The nominated throughput for fertilisers temporarily stored and/or blended prior to dispatch at the facility is 416,000 tonnes per year.

Lined drains on the site direct stormwater to a lined pond. Captured stormwater may contain fertiliser from operating areas. Therefore, water from the lined pond is processed through a treatment plant to remove some of the phosphorus and nitrogen prior to off-site discharge to the Munster Hill Drain via a v-notch weir. The discharge is routinely sampled and tested for a wide range of parameters including nutrients, salts and metals.

Various processes and infrastructure at the site are used to manage fertiliser unloading, blending and dispatch activities to minimise contamination of stormwater resulting from spills, airborne dispersal and tracking out of fertiliser product from storage and dispatch facilities.

The Munster Hill Drain flows into the Robinson Road Drain before discharging into Princess Royal Harbour approximately 1500m south of the CSBP premises.

CSBP has a current Works Approval (W6465/2020/1) for the construction and operation of a new relocated v-notch weir, new relocated discharge channel, an untreated stormwater overflow mechanism, new water treatment plant outlet, new groundwater monitoring bores and installation of a new HPDE liner in the existing lined pond. The works program has been instigated partly due to proposed Main Roads changes to the alignment of the Albany Ring Road impacting the southern boundary of the existing premises. The department is expecting the licence holder to apply for a licence amendment subject to completion of these works and the associated Albany Ring Road realignment. The Delegated Officer notes that the future licence amendment should include detail of all relevant premises infrastructure and equipment and it's specified operational requirements for incorporation into a revised licence.

2. Regulatory framework

The Delegated Officer has determined to undertake an administrative renewal of the licence and has not conducted a full review and risk assessment of emissions and discharges from the premises in line with the Department's *Work Instruction: Regulatory Services, COVID-19 licensing position*.

In replacing the licence, 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>.

3. Complaints and incident history

There is no history of complaints for at least the last five years. Incident reports on the overflow events of the lined pond that result in additional off-site discharges to the Munster Hill Drain, are routinely submitted by the licence holder in accordance with licence conditions. Over the last five annual reporting periods, no overflow events occurred in three of the reporting periods, whilst 4 overflow events resulting in additional off-site discharges were reported for both 2017/2018 and 2020/2021.

4. Decision summary

Under the regulatory framework the Delegated Officer has determined to grant the licence L8669/2012/2 without conducting any additional assessment or risk assessment.

The existing prescribed premises category and the authorised throughput have not been reviewed as part of this renewal. The replacement licence will be issued for 20 years.

In renewing the licence the Delegated Officer has determined to:

- update the format and appearance of the licence;
- remove redundant definitions and conditions and add new definitions as required;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements); and
- transfer all relevant existing regulatory controls and conditions to the renewed licence.

As a result of this decision, a renewed Licence L8669/2012/2 has been granted subject to conditions set out in the attached licence and summarised below.

4.1 Summary of administrative changes

Section 62 of the EP Act provides general power to impose conditions on licences. All licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) for the purposes of the EP Act to prevent, control, abate or mitigate pollution or environmental harm.

Table 2 provides a summary of the transfer of all appropriate conditions from the expiring licence into the renewed licence.

Table 2: Licence conditions description and rationale

Licence condition number	Summary - previous licence condition	Conversion notes	New licence condition number
Cover page	Registered address	As per general Amendment Notice issued on 6 February 2017 - update of registered business address applied to all CSBP licences.	N/A
1, 2(i) and 2(ii)	Stormwater management	Transferred with terminology updates applied.	1,2 and 3
3(i) – (a) and (b)	Wastewater treatment pond maintenance		4 (a) and (b)
4 (i) and 4(ii)	Wastewater discharge	Transferred as two separate conditions with terminology updates applied.	5 and 6
5 (i) and (ii), including Table 1	Treated wastewater discharge limits	Condition wording merged to one condition with table. Parameters in existing table that had no limit applied have been removed.	7
6		Transferred with terminology updates applied.	8
7	Surface water (discharge) monitoring requirements	Transferred as two separate conditions with terminology updates applied. Added allowance for in-situ non NATA accredited analysis for pH and conductivity where applicable.	9 (Table 2) and 10 (Table 3)
	Groundwater monitoring requirements		
8	Collection and preservation of water samples	Transferred with terminology updates applied.	11

Licence condition number	Summary - previous licence condition	Conversion notes	New licence condition number
9	Water sample analysis - laboratory and testing method NATA accreditation requirements	Transferred with terminology updates applied.	12
10	Sludge and leachate management	Transferred with terminology updates applied.	13
N/A	Records and reporting – complaints condition	Standard current licence template complaints condition has been applied.	14
15	Annual Audit Compliance Report (AACR)	Standard current licence template condition for AACR applied. Attachment 3 removed.	15
14	Annual Environmental Report (AER)	Standard current licence template annual reporting condition applied, cross referencing relevant conditions for reporting.	16
14 (b)		Explanation of monitoring data as per previous sub-condition applied as separate condition with terminology updates as appropriate.	17
14 (d), (e) & (g)		Redundant reporting conditions removed. Standard annual reporting template includes general requirement to report on any failures or malfunction of pollution control equipment.	N/A
N/A	N/A	Standard current licence template condition set for maintaining accurate and auditable books have been applied.	18 & 19
Definitions	N/A	Standard current licence definitions template and relevant additional terms and definitions applied.	Table 5
N/A	Attachment 1 – Premises Map	Adapted prescribed premises boundary plan from W6465/2020/1 to include location of the groundwater monitoring bores required for sampling under licence condition 10.	Schedule 1 – Figure 1
	Attachment 2 – Munster Hill Drain Discharge Point Location	Replaced existing plan with copy of Figure 2: Location of existing site infrastructure taken from W6465/2020/1.	Schedule 1 – Figure 2

4.2 Additional conditions

The renewed licence has been updated to include standard conditions for recording complaints (condition 14) and keeping books (conditions 18 and 19) in line with DWER's *Guidance Statement – Setting Conditions* 2015. These are standardised conditions to allow for the effective administration of the renewed licence.

5. Consultation

The draft licence and this decision report were provided to the licence holder on 19 November 2021 for comment. The licence holder made no comments.

6. Conclusion

Based on the assessment in this Decision Report, the Delegated Officer has determined that the renewed licence L8662/2012/2 will be granted. The licence is subject to conditions commensurate with the determined controls as well as conditions necessary for administration and annual reporting requirements.