



Application for Licence Amendment

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

Licence Number	L8796/2013/1
Licence Holder	Bendotti Exporters Pty Ltd
ACN	099 895 904
File Number	DWERVT15340
Premises	WA Chips Franklin Street MANJIMUP WA 6258 Legal description: Lot 689 on Deposited Plan 175853 Lot 3006 on Deposited Plan 46540 Certificate of Title Volume 1792 Folio 53 Certificate of Title Volume LR3165 Folio 448 As defined in Schedule 1 Figure 1 Premises Map
Date of Report	27 November 2024
Decision	Revised licence granted

Caron Goodbourn

**MANAGER, PROCESS INDUSTRIES
INDUSTRY REGULATION**

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

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1. Amendment Description

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the existing licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is hereby given under section 59B(9) of the EP Act.

In completing the assessment documented in this report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://www.der.wa.gov.au>.

1.1 Background

The premises has been operating as a food processing plant since 2002. It is located about 2.5 km south of Manjimup town centre on Franklin Road, Manjimup. The premises was first licenced under the EP Act in 2014 as a food processing facility under category 18, with an approved production capacity to process up to 8,000 tonnes of potatoes per annual period.

The licence holder discharges into Smith Brook which is a proclaimed surface water under the Rights to Water and Irrigation Act 1914 (RIWI Act). The surface water of Smith Brook is used for downstream agriculture, potential drinking water and has instream aquatic native fish and riparian vegetation.

The department communicated with the licence holder in September 2016 that any production increase would not be approved without an improvement to the existing wastewater treatment plant (WWTP). In July 2023, the department amended the licence to ensure accuracy and adequacy of the licence conditions in response to concerns raised by the department that the current wastewater treatment and discharge to surface water at the premises may not be fit for purpose due to elevated nutrient levels, and oil and grease that may pose a risk to the environment.

The licence holder has exceeded the assessed production capacity of the licence in 2021, 2022 and 2023 and has exceeded nutrient trigger limits in every month since January 2023. The licence amendment in 2023 included a condition that the licence holder must submit a works approval to upgrade the wastewater treatment plant, to reduce the nutrient levels in

the wastewater. This has not occurred.

1.2 Proposed amendments

The proposed amendments submitted by the licence holder on 28 June 2024 are:

1. The installation of a solid's separator, to remove potato skins from the wastewater stream. The removed potato skins are then taken off site to a dairy farm to be used as feed.
2. Update the infrastructure to include a new aerator on the aeration pond to assist in reducing Nitrogen and BOD levels (installed April 2024).
3. Diversion of sodium acid pyrophosphate (SAPP) from the wastewater to liquid holding bins and removal off site via a liquid waste contractor.

The licence holder has indicated that the above amendments may lead to the removal of 774 kg of Nitrogen (TN), 1128 kg of Phosphorus (TP), 21.6 tonnes of dry weight total solids (TS) and 24kg of aluminum (Al) per year from the wastewater stream.

2. 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 es 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.

The key emissions and associated actual or likely pathway during premises operation which have been considered in this Amendment Report are detailed in **Error! Reference source not found. 1** below. Table 1 also details the proposed control measures the licence holder has proposed to assist in controlling these emissions, where necessary.

Table 1. Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating ¹	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls	C = consequence L = likelihood		
Removal of potato skins and SAPP from wastewater stream	Odour from decomposing food waste / breakdown of organic matter	Air/windborne pathway causing impacts to health and amenity	Residential area 800 m north, Rural residence 470 m northwest, airfield 100 m south, industrial premises 80 m north to northeast of the premises boundary.	<ul style="list-style-type: none"> - Sealed storage containers and tanks. - Containers collected frequently - 25kL SAPP waste tank to be positioned so that if any leaks or spilling occurs the wastewater runs off into the existing waste pit and through the current WWTP. - SAPP wastewater to be taken off site by a licenced 	<p>C = Slight L = Possible Low -Risk</p>	<p>All solid waste must be stored within the sealed containers.</p> <p>Sealed containers containing potato skins must be emptied each week with the contents removed from the premises.</p> <p>Wastewater containing sodium acid pyrophosphate (SAPP) must be diverted and stored in a covered 25kL tank.</p> <p>Stored SAPP wastewater must be transported off site via a licensed wastewater contractor to Cleanaway Henderson Waste Water Treatment Facility.</p> <p><u>A maximum of 20kL at any of SAPP wastewater can be</u></p>	<p>To prevent any over topping of the storage tank, the delegated officer has conditioned the requirement to store a maximum of 20kL.</p> <p>To ensure inspections are occurring, a logbook record must be kept.</p>

				contractor and delivered to Cleanaway Henderson Waste Water Treatment Facility. - Daily inspections of tank to ensure overtopping does not occur.		<u>stored on site.</u> <u>Logbook of daily inspections of SAPP wastewater tank to occur.</u>	
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Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

3. Consultation

The draft amended licence and decision report was provided to the licence holder on 28 October 2024 to provide comment. One comment on the draft conditions was provided by the licence holder, summarized in Appendix 1.

4. Decision

1. The delegated officer **approves** the installation of the solid separator.
The delegated officer has considered that the storing of potato skins is increasing the storage of solids waste on site marginally. There have been no odour complaints for solid storage since operating in 2014 and that the licence controls and are sufficient for managing the risk of odour.
2. The delegated officer **approves** the installation of a new aerator on the aeration pond.
3. The delegated officer **approves** the diversion of SAPP wastewater to be diverted from the main wastewater stream, stored on site and then collected by a licensed liquid waste contractor.

In addition, the department has imposed the following additional regulatory controls:

1. Conditioned the maximum amount of potatoes that can be processed per annual period to 8,000 tonnes, to match what the assessed processing capacity is.

The reasons for the addition of this processing limit are as follows:

- The premises' emissions and discharges have been assessed on an operating capacity of 8,000 tonnes per reporting period. The premises has the capability to produce more than this, and therefore production must be limited to this assessed and approved capacity.
- Since 2018, the licence holder has exceeded the approved production capacity of 8000 tonnes of potatoes per year.
- The wastewater treatment system is not fit for purpose and not achieving target wastewater treatment levels. Wastewater tests results show the licence holder has exceeded nutrient trigger levels each month within the wastewater for at least the last 3 reporting periods. A solids separator (installed as a trial) and the aerator have been installed since April 2024. During this time a review of the wastewater monitoring data supplied by the licence holder from trigger level exceedance reports and annual environmental reports (Table 3) has been completed. The review shows that BOD has been below the trigger level for 3 continuous months since the aerator has been installed, however oil and grease, TDS, TN and TP all remain areas of concerns, with TN and TP exceeding levels in all months since installation of the new equipment. Apart from BOD, the water quality has not shown an improvement overall when compared to 2023 results.

Table 2. Wastewater quality monitoring results for 2024

	Unit	Trigger Level	2023 avg.	May-24	Jun-24	Jul-24	Aug-24
BOD	mg/L	>40	49	120	26	31	5
Oil and Grease		>5	97	>5	>5	>5	16
TDS		>1000	1132	1500	1300	1300	930
TN		>10	24	33	45	46	33
TP		>2	15	14	26	16	16
TSS		>80	163	80	60	50	11

- The licence holder has not submitted a detailed works approval for a wastewater treatment plant upgrade, that was conditioned in the licence. The works approval is to detail how the licence holder will lower the nutrient levels in the wastewater and achieve the wastewater discharge trigger values.
 - Wastewater is discharged to surface water, and with the high nutrient levels could have potential impacts on downstream users and the environment.
2. SAPP storage limits are to be capped as the licence holder has indicated that there would be a maximum of 1.7kL of SAPP wastewater per processing day. This means that to fill the storage tank completely would take approximately 15 days. Limiting the storage to 20kL would mean 12 days of processing and always allow for a slight buffer in case of emergency.
 3. As the SAPP wastewater is high in phosphorous, which can detrimental to the environment, to ensure any risk of the diverted SAPP water entering the water stream, the tank is to be managed by daily inspections and log book of inspections are to be kept.

References

1. Bendotti Exporters Pty Ltd, Amendment application, 2024.
2. Bendotti Exporters Pty Ltd, 2024, 2023 Annual Audit Compliance Report. May 2024
3. Bendotti Exporters Pty Ltd, 2023, 2022 Annual Audit Compliance Report. August 2023
4. Bendotti Exporters Pty Ltd, 2022, 2021 Annual Audit Compliance Report. April 2022
5. Bendotti Exporters Pty Ltd, Trigger Level Exceedance Report August 24, September 2024
6. Bendotti Exporters Pty Ltd, Trigger Level Exceedance Report July 24, August 2024
7. Bendotti Exporters Pty Ltd, Trigger Level Exceedance Report June 24, July 2024
8. Bendotti Exporters Pty Ltd, Trigger Level Exceedance Report May 24, June 2024
9. Bendotti Exporters Pty Ltd, L8796-2013-1 Licence Amendment Supporting Information June 2024, Report prepared by Bendotti Exporters Pty Ltd, June 2024.
10. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
11. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
12. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

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

Condition	Summary of Licence Holder's comment	Department's response
2	WA Chips requested an extension on the date of submission of the wastewater treatment system until June 2025.	As the due date for the submission of the works proposal has already past, the department does not consider it appropriated to change the date to bring the licence holder into compliance, and therefore will keep the original due date on the licence. The condition will be removed when the works proposal is submitted.