



## Application for Licence Amendment

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

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<b>Licence Number</b>	L8841/2014/1
<b>Licence Holder</b>	CSBP Limited
<b>ACN</b>	008 668 371
<b>File Number</b>	2013/002960-1
<b>Premises</b>	CSBP Limited 280 North West Coastal Highway WEBBERTON WA 6530 Being Lot 103 on Plan 35689 and Lot 105 on Diagram 26864  As defined by the Premises maps attached to the Revised Licence
<b>Date of Report</b>	12 September 2023
<b>Decision</b>	Intent to grant revised licence

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## 1. Decision summary

Licence L8841/014/1 is held by CSBP Limited for the CSBP Limited (the Premises), located at 280 North West Coastal Highway, WEBBERTON WA, 6530.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, Revised Licence L8841/2014/1 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 <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary and overview of premises

#### Background

The premises relates to the category 33: chemical blending or mixing and assessed production capacity of not more than 507,000 tonnes per annual period under Schedule 1 of the Environmental Protection Regulations 1987 which is defined in works approval W6654/2022/1.

CSPB Limited (the applicant) currently hold a licence to operate the premises (L8841/2014/1). On-site activities include the receipt, storage and dispatch of granular fertilisers, the manufacture and dispatch of liquid fertiliser and the receipt of industrial wash down water (a controlled waste) from fertiliser import activities at the Port of Geraldton. The industrial wash down water, which may contain hydrocarbon residue (fuels & oils), solids, sludge, soaps and water, is reused or disposed of in a licensed offsite facility. The premises receives granular fertiliser and liquid products for the purpose of blending and/or mixing.

The premises has two impervious (lined) sumps to contain contaminated and potentially contaminated stormwater; Pond 1 was previously concrete-lined and has capacity to store up to 1,400 kilolitres (kL) and Pond 2 is lined with a high-density polyethylene (HDPE) geomembrane and has capacity to store up to 10,400 kL.

On 17 March 2023, the department received an Environmental Compliance Report (ECR) for Pond 1 HDPE liner installation at CSBP Geraldton as per condition 3 of the works approval (W6654/2022/1). The department has assessed the document and determined that it meets the requirements of conditions 1 and 2 of works approval W6654/2022/1.

Stormwater collected in Pond 1 is pumped to Pond 2 to reduce the risk of discharge to the infiltration area. The automated system is designed to target 300mm freeboard in Pond 2 as required by Licence condition 1.3.4. Once this storage capacity is exhausted then the Pond 1 pump is interlocked and therefore preventing overflow from Pond 2. In periods of intense rainfall when both ponds are at capacity, stormwater discharges via overflow to the existing infiltration area (L1) from Pond 1 only.

#### Proposed amendments

On 14 April 2023, the licence holder submitted an application to the department to amend Licence L8841/2014/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). CSBP limited is seeking to update Pond 1 infrastructure and the extent of the overflow discharge to infiltration area (L1).

CSBP limited have proposed to amend the following to Licence L8841/2014/1:

- the liner of Pond 1 from concrete to a 1.5mm thick HDPE geomembrane lined (referenced in Figure 2 and Table 1.3.3 of the Licence).
- the overflow discharge to infiltration area (referenced as L1 in Schedule 1: Map of emission points) from a total area of 442 m<sup>2</sup> to 1,460 m<sup>2</sup>.

### 3. 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.

#### 3.1 Source-pathways and receptors

##### 3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during operation have been considered in this decision report are detailed in Table 1 below. Table 1 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 1: Proposed applicant controls (from application)**

Emission	Sources	Potential pathways	Proposed controls
<b>Operation</b>			
Storage of potentially contaminated stormwater in Pond 1 and Pond 2	Leaking and seepage of potentially contaminated water	Infiltration through the soil to groundwater	<ul style="list-style-type: none"> <li>• 1.5mm thick HDPE lined concrete pond</li> <li>• HDPE liner will have geotextile underlay</li> <li>• The integrity of the containment infrastructure is maintained</li> </ul>
	Overtopping of containment area	Overflow of potential contaminated stormwater to infiltration area (L1)	<ul style="list-style-type: none"> <li>• Stormwater collected in Pond 1 is pumped to the larger area Pond 2 to reduce the risk of discharge to the infiltration area (L1)</li> <li>• Pond 1 and Pond 2 will have a freeboard equal to, or greater than 300mm</li> </ul>

##### 3.1.2 Receptors

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

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

Figure 1 and Table 2 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 2020)).

**Table 2: Sensitive human and environmental receptors and distance from the prescribed activity**

<b>Human receptors</b>	<b>Distance from prescribed activity</b>
Residential premises	350 metres from Pond 1 works and infiltration area - L1 (30 metres from boundary of the premises)
<b>Environmental receptors</b>	<b>Distance from prescribed activity</b>
Underlying groundwater (non-potable purposes)	3.5 metres below bottom of Pond 1
Marine ecosystems	Indian Ocean 900m west of the infiltration area

## 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's proposed 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 3.

The Revised Licence L8841/2014/1 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

**Table 3. Risk assessment of potential emissions and discharges from the Premises during operation**

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls			
Containment of fertiliser contaminated or potentially contaminated stormwater in Pond 1	Seepage through the liner of potentially contaminated stormwater  Overtopping of containment	Contamination of soil (coarse grained soils), groundwater, marine ecosystems and infiltration area (L1) (via overland flow or infiltration)	Groundwater 3.5m below bottom of pond  Indian Ocean 900m west of infiltration area	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Condition 1.3.3, 1.3.4, 2.1.1, 3.2.1, 4.3.1	<p>The department determines the applicants controls, including the recent installation of a HDPE liner to Pond 1 sufficient to mitigate the potential risks to the environment and public health.</p> <p>The HDPE liner specifications comply with the requirements outlined in <i>Water Quality Protection Note 26: Liner for containing pollutant, using synthetic membranes</i> (DoW 2013)</p> <p>The department notes that the coarse grained soils on site identified in <i>Stormwater Assessment</i> (CSBP Geraldton 2015) has consistently low Phosphorus Retention Indices (PRI) and Phosphorous Buffering Index (PBI), however risk is low for eutrophication and due to the nature of the runoff and low risk of</p>

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Conditions <sup>2</sup> of licence	Justification for additional regulatory controls
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							contamination from fertiliser, the component of organic nitrogen is expected to be low to negligible.

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.



## 4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

**Table 4: Consultation**

Consultation method	Comments received	Department response
Licence Holder was provided with draft amendment on 14/08/2023	<p>The licence holder responded on 7 September 2023 proposing that condition 1.3.3 be reworded to “The Licensee shall ensure that wastewater or potentially contaminated stormwater collected on site that is not entering into one of the five unlined soaks is stored within vessels or compounds provided with the infrastructure detailed in Table 1.3.3”.</p> <p>CSBP would like DWER to note that the wording of condition 1.3.3 in the current active licence, although difficult to interpret in its current form, requires stormwater not entering an unlined soak to be directed to either pond 1 or pond 2. The proposed wording in the condition above will potentially place CSBP in immediate non-compliance by interpretation and is not reflective of current onsite operations.</p>	<p>The department notes this information and has updated condition 1.3.3.</p> <p>The updated wording of condition 1.3.3 accurately reflects current onsite operations and ensures the licence holder will not be in immediate non-compliance once the amended licence is issued.</p> <p>The department notes the risk of stormwater becoming contaminated is managed by monitoring condition 3.2.1 of the licence.</p>

## 5. Decision

The delegated officer has determined the replacement of the existing concrete Pond 1 liner with a 1.5 mm thick HDPE geomembrane and the overflow discharge to infiltration area being amended to 1,460 m<sup>2</sup> does not pose an unacceptable risk of impacts to public health or the environment.

This determination is based on the following:

- a HDPE geomembrane is an acceptable lining system for a stormwater containment sump, providing installation is conducted with appropriate quality assurance/quality control, as specified by the manufacturer; and
- the increase in size of the overflow discharge to infiltration area (L1) does not alter the risk profile of the area previously assessed for the licence.

## 6. 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.

### 6.1 Summary of amendments

Table 5 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised

Licence as part of the amendment process.

**Table 5: Summary of licence amendments**

Condition no.	Proposed amendments
n/a	Removed amendment section from the introduction
1.2.3	Removed condition
1.3.3	Reworded condition to capture that potentially contaminated stormwater is the material stored in Ponds 1 and 2. Updated Table 1.3.3 to capture that Pond 1 is HDPE lined and addition of a location reference.
Table 2.1.1	Updated to include reference to Schedule 1, Figure 3
Table 3.4.1	Updated to include reference to Schedule 1, Figure 4
Schedule 1 – Premises Map	Updated to higher resolution map
Schedule 1 – Map of storage locations	Updated map with Pond 1 now depicting it is HDPE lined.
Schedule 1 – Map of emission points	Updated map with Pond 1 and soakwell 7 infiltration area corrected to 1,460 m <sup>2</sup>

## References

1. CSBP Limited 2014, *Licence L8841/2014/1*, issued on 27 November 2014, Perth Western Australia.
2. CSBP Limited 2015, *Stormwater Assessment*, Perth Western Australia.
3. CSBP Limited 2022, *Works Approval W6654/2022/1*, issued on 8 June 2022, Perth Western Australia.
4. CSBP Limited 2023, *L8841/2014/1 – CSBP Geraldton Licence Amendment Application*, Perth Western Australia. TRIM: DWERDT766001
5. CSBP Limited 2023, *CSBP Geraldton – Environmental Compliance Report – Works Approval W6654/2022/1 (Install HDPE liner to stormwater Pond 1)*, received 17 March 2023, Perth Western Australia
6. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
7. Department of Water 2013, *Water quality protection note 26: Liners for containing pollutants, using synthetic membranes*, Perth Western Australia.
8. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
9. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.