



## Application for Licence

### Division 3, Part V *Environmental Protection Act 1986*

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<b>Licence Number</b>	L9110/2018/1
<b>Applicant</b>	BGC (Australia) Pty Ltd
<b>ACN</b>	005 736 005
<b>File Number</b>	DER2017/002103-1
<b>Premises</b>	BGC Asphalt Neerabup 31 Turnbull Road, NEERABUP Legal description - Lot 23 on Diagram 63843 Certificate of Title Volume 1630 Folio 956
<b>Date of Report</b>	14 December 2018
<b>Status of Report</b>	Final

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## 1. Definitions of terms and acronyms

In this Decision Report, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

Term	Definition
ACN	Australian Company Number
AER	Annual Environment Report
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
Decision Report	refers to this document.
Delegated Officer	an officer under section 20 of the EP Act.
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
mg/m <sup>3</sup>	Milligram per cubic metres
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report

## 2. Licence application assessment

### 2.1 Purpose and scope of this Decision Report

On 30 November 2017 the Applicant lodged a licence Application following on from completion of works to construct an asphalt manufacturing plant. The works to construct the asphalt manufacturing plant on 31 Turnbull Road, Neerabup were approved under Works Approval W6108/2017/1, granted on 27 April 2018.

The site also has an operational concrete batching plant (since 2003) which is registered on DWER's data base (R368/2003/1). This registered activity is to be included on the licence as it is standard procedure to include registered activities together with other licensed activities on the details of the licence.

### 2.2 Application for Licence

The Application was lodged concurrently with a works approval application on 30 November 2017 but, put on hold pending completion of construction works. On 18 July 2018 the Applicant provided a compliance report, advising that the works have been completed in accordance with Works Approval W6108/2017/1.

The Delegated Officer accepted the compliance report. Particulate emissions were analysed during the commissioning period and were below the limit specified in the Works Approval.

The Applicant is currently operating the asphalt plant in accordance with the provisions of the works approval until the licence is granted.

### 2.3 Environmental Risks

The risks to the environment that arise from the operation of the asphalt plant were examined in detail during the process of assessing the works approval application. The Applicant has advised that the works have been completed in accordance with the Works Approval and testing has confirmed that emissions control equipment is capable of achieving predicted performance standards (if not better). As such, the risks to the environment identified at the works approval stage have not changed and therefore do not need to be re-examined.

The Works Approval Decision Report has been attached to this report. Chapter 9 of the report sets out the details of the risk assessment during operation of the asphalt plant. Chapter 10 of the report also provides an indication of potential Licence conditions.

### 2.4 Justification of Licence conditions

The Licence conditions are focused on the asphalt manufacturing process and are in line with the conditions indicated in the Works Approval Decision Report and consistent with conditions attached to Licences for other asphalt manufacturing premises. The *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998* are applicable to the concrete batching part of the premises and as such no other conditions other than the inclusion of the infrastructure of the concrete batching plant will be attached to the Licence for this part of the premises.

The *Guidance Statement: Licence Duration* has been applied and the Licence expires in 20 years from date of issue.

Table 2 provides a summary of the conditions to be applied to the Licence.

**Table 2: Summary of conditions to be applied**

<b>Condition Ref</b>	<b>Grounds</b>
Emissions Condition 1	This condition authorises specific and general emissions from the premises.
Infrastructure and equipment Condition 2	The infrastructure and equipment are all essential to be prescribed in the Licence to ensure that emissions are controlled where these are not specifically regulated through condition 1.
Premises Operation Condition 3	This condition is similar to conditions placed on similar other premises and regulates the raw materials used in the process. This ensures that emissions from the asphalt manufacturing process do not suddenly change because of contaminated raw material usage. The inclusion of the crushing and screening equipment within Table 4 allows the Licence Holder to move the equipment to and from the Premises and as such no other authorisation is required for this.
Monitoring Conditions 4 and 5	Although the bag filter needs to be maintained as per condition 2, an annual stack test for the emissions from the asphalt manufacturing plant will ensure that this maintenance is not forgotten.
Record-keeping and reporting Conditions – 9	These conditions are needed to allow the Department to review the Licence Holder's performance against the Licence conditions.

DWER notes that it may review the appropriateness and adequacy of controls at any time and that, following a review, DWER may initiate amendments to the Licence under the EP Act.

### **3. Applicant's comments**

The Applicant was provided with the draft Decision Report and draft Licence on 23 November 2018. The Applicant provided comments with regards to some missing information and clarifications on the infrastructure. These comments have been reflected in the final licence.

### **4. Conclusion**

This assessment of the risks of activities on the Premises has been undertaken with due consideration of a number of factors, including the documents and policies specified in this Decision Report (summarised in Appendix 1).

Based on this assessment and the assessment that occurred at the works approval stage, the Delegated Officer determined that a Licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

**Paul Byrnes**  
**Manager, Process Industries**

Delegated Officer under section 20 of the *Environmental Protection Act 1986*

## Appendix 1: Key documents

	Document title	In text ref	Availability
1.	Application for a licence	-	DWER record A1571475
2.	Works Approval W6108/2017/1	-	Accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
3.	Decision Report for Works Approval	-	Attachment 1
4.	Works Approval compliance letter and stack testing results	-	DWER record A1704279
5.	DER, July 2015. <i>Guidance Statement: Regulatory principles.</i> Department of Environment Regulation, Perth.	DER 2015a	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
6.	DER, October 2015. <i>Guidance Statement: Setting conditions.</i> Department of Environment Regulation, Perth.	DER 2015b	
7.	DER, August 2016. <i>Guidance Statement: Licence duration.</i> Department of Environment Regulation, Perth.	DER 2016a	
8.	DER, November 2016. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.	DER 2016b	
9.	DER, November 2016. <i>Guidance Statement: Decision Making.</i> Department of Environment Regulation, Perth.	DER 2016c	

## Attachment 1: Decision Report for Works Approval W6108/2017/1

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