



Application for Licence Amendment

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

Licence Number	L9188/2018/1
Licence Holder	Cleanaway Pty Ltd
ACN	000 164 938
File Number	DER2018/1659
Premises	Kalgoorlie Materials Recovery Facility 5 Carnegie Street BROADWOOD WA 6430 Legal description – Lot 500 on Deposited Plan 22525
Date of Report	19 September 2022
Decision	Revised licence granted

Abbie Crawford
A/MANAGER, WASTE INDUSTRIES

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

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1. Decision summary

Licence L9188/2018/1 is held by Cleanaway Pty Ltd (Licence Holder) for the Kalgoorlie Materials Recovery Facility (the Premises), located at 5 Carnegie Street, Broadwood.

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 L9188/2018/1 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises. The Revised 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 of Water and Environmental Regulation (the department/DWER) 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 June 2022, the Licence Holder submitted an application to the department to amend Licence L9188/208/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendment is being sought:

- Approval for the storage of Container Deposit Scheme (CDS) glass materials outdoors in an uncovered container.

The Licence Holder has stated that the glass stored outdoors is received via the CDS. CDS materials which do not meet the requirements of the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019* must be refused under Regulation 4C (5). Therefore, all stored glass containers should be empty and uncontaminated.

On 9 August 2022, the Licence Holder submitted a request to the department for an additional amendment to the current waste acceptance and processing specifications to remove the 300 tonne annual limit on the quantity of putrescible wastes received inadvertently as contamination within approved waste types. The Licence Holder is seeking this amendment as they have experienced an increase in levels of contamination within recyclable materials over the last 12 months. They advised that they have been working proactively with customers through education to reduce contamination levels. All contaminated waste is stored as rejected waste in a leak-proof container and removed to the Yarri Road Landfill within 72 hours. Onsite controls for non-conforming waste and the annual 5,000 tonne throughput for total combined wastes is expected to remain unchanged as a result of this amendment.

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 premises operation which have been considered in this Amendment Report are detailed in Table 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: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Windblown waste	Storage of glass outside in an uncovered container	Air/windborne pathway	None proposed.
Leachate		Infiltration through the soil profile to groundwater	None proposed.
Leachate	Inadvertent receipt of putrescible waste as contamination within approved waste types	Infiltration through the soil profile to groundwater	As per existing licence: Waste is only handled and stored in the enclosed sheds. Contaminated recycling waste is placed in a leak-proof 'rejected waste' bin or vessel and must be removed from the premises within 72 hours. The premises is located on a concrete hardstand.
Odour		Air/windborne pathway	

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.

Table 2 on the following page 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 prescribed activity

Human receptors	Distance from prescribed activity
Commercial/Industrial buildings/ Workshops	Immediately adjacent on all sides of the Premises
Goldfields Motocross Track	270m south-west of Premises
Nearest residential building	290m north north-east of Premises
Eastern Goldfields Kart Club	1km south of Premises
Environmental receptors	Distance from prescribed activity
Underlying groundwater	Proclaimed groundwater area under the <i>Rights in Water and Irrigation Act 1914</i> : - Goldfields Groundwater Area Groundwater ~15-20mbgl
Minor unnamed watercourse	1.13km west of Premises
Multiple Threatened Fauna sightings scattered around the region	All >2.5km of Premises

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 L9188/2018/1 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 ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Operation								
Inadvertent receipt of putrescible waste as contamination within approved waste types	Odour	Air/windborne pathway causing impacts to health and amenity	Surrounding commercial/industrial buildings and workshops Residents 290 m north north-east of premises Goldfields Motocross track Eastern Goldfields Kart Club	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 2, 3, 4, 8, 9, and 10	The handling and storage of waste materials will only occur within enclosed sheds and non-conforming putrescible waste will be removed from the premises within 72 hours as required by existing licence conditions.

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
								Therefore, odour emissions from the premises should be minimal and the Delegated Officer considers existing conditions sufficient to mitigate odours.
	Leachate/contaminated storm water	Infiltration through the soil profile to groundwater, causing ecosystem disturbance and degradation to the beneficial use of groundwater	Beneficial uses of groundwater Residential premises 290m north of the premises Water course 1.13km west of the premises	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 2, 3, 4, 8	The handling and storage of waste materials will only occur within enclosed sheds on a concrete hardstand. Non-conforming waste (including contaminated recyclable materials) will be stored in a leak-proof bin or vessel and not stored on site for longer than 72 hours as per Condition 3. Therefore, the potential for stormwater to come into contact with the waste is highly unlikely. The Delegated Officer considers existing conditions to be adequate to mitigate the risk of emissions.

Risk Event					Risk rating ¹	Licence Holder's controls sufficient?	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			
Storage of glass outside in an uncovered container	Windblown Waste	Air/windborne pathway causing impacts to health and amenity, and ecosystem disturbance	Surrounding commercial/industrial buildings and workshops Residents 290 m north north-east of premises Goldfields Motocross track Eastern Goldfields Kart Club Threatened fauna	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	N/A	Conditions 4, 5, 8	There is a potential for labels on glass containers stored outdoors to become windblown waste. The Delegated Officer considers existing licence conditions sufficient to control this risk.
	Leachate/contaminated storm water	Infiltration through the soil profile to groundwater, causing ecosystem disturbance and degradation to the beneficial use of groundwater	Beneficial uses of groundwater Residential premises 290m north of the premises Water course 1.13km west of the premises	Refer to Section 3.1	C = Slight L = Rare Low Risk	N/A	N/A	CDS materials are required by Regulation 4C (5) of the <i>Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019</i> to be empty and uncontaminated. Therefore, leachate/stormwater runoff from these materials would present a low risk to the environment and the Delegated Officer considers that no additional regulatory controls are necessary.

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
City of Kalgoorlie Boulder advised of proposal (19/07/2022)	<p>On 29 July 2022, the City of Kalgoorlie Boulder advised DWER that no further planning approval is required for the proposed amendment as it is covered by the existing approved land use.</p> <p>However, the City of Kalgoorlie Boulder recommended that containers of CDS materials be stored in a bunded area to capture and treat any leachate generated before discharging it to the onsite effluent disposal system. It was also recommended that bunded areas be covered to avoid storm water intrusion.</p>	<p>The City's comments are noted.</p> <p>However, as CDS materials are required by Regulation 4C (5) of the <i>Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019</i> to be empty and uncontaminated, then leachate should not be generated.</p> <p>Any stormwater runoff from these materials would present a low risk to the environment. Therefore, the Delegated Officer has determined that regulatory controls in relation to contaminated stormwater and leachate for storage of glass CDS materials will not be necessary.</p>
Licence Holder was provided with draft amendment on 22 August 2022	No comments received.	N/A

5. 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.

5.1 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
Condition 1	Condition redundant and removed from licence. Replaced with Infrastructure and Equipment. Glass CDS storage bin has been added to Table 1, along with references to Figure 1 and Figure 2.
Condition 2	Removal of "minor quantities of other putrescible wastes, not exceeding 300 tonnes per annual period, received inadvertently as contamination within approved waste types are permitted" from Table 3. The Licence Holder has advised that contaminated recyclables are rejected waste and are moved to a rejected waste bin for storage. The rejected waste is then moved off-site to the Yarri Road Landfill. Removal of non-conforming waste is covered by Condition 3 and therefore, the Delegated Officer has determined that reference

	to contaminated materials in Condition 2 is not required.
Condition 4, Table 4	Addition in Column 3 to allow the storage of CDS glass materials in an uncovered bin outside

Table 6: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
Table 1	Definitions and Interpretation	Infrastructure and equipment requirements	Revised to current licensing format. Definitions Table moved and re-numbered to Table 7. Table 1 renamed to Infrastructure and equipment requirements (previously Table 8). Glass CDS storage bin has been added to table, along with references to Figure 1 and Figure 2.
Condition 11	Audit for compliance	N/A	Reporting condition updated to current standard practice
Condition 12	Compliance Report	N/A	Outdated compliance report condition deleted and replaced with Condition 13
Condition 13	Compliance with Department Request	Condition 12	Re-numbered due to deletion of previous Condition 12
Table 7	Previously Definitions Table 1	N/A Definitions Table 7	Revised to current licensing format. Addition of CDS and CDS materials
Schedule 1	Maps	Addition of location of glass CDS storage bin and wording for Figure 1 and Figure 2	Revised to current licensing format.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)							
Application type							
Works approval	<input type="checkbox"/>						
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input type="checkbox"/>		
		Has the works approval been complied with?			Yes <input type="checkbox"/>	No <input type="checkbox"/>	
		Has time limited operations under the works approval demonstrated acceptable operations?			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?			Yes <input type="checkbox"/>	No <input type="checkbox"/>	
		Date Report received:					
Renewal	<input type="checkbox"/>	Current licence number:					
Amendment to works approval	<input type="checkbox"/>	Current works approval number:					
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L9188				
		Relevant works approval number:		N/A	<input type="checkbox"/>		
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>		
Date application received		21/06/2022					
Applicant and Premises details							
Applicant name/s (full legal name/s)		Cleanaway Pty Ltd					
Premises name		Kalgoorlie Materials Recovery Facility					
Premises location		Lot 500 on Plan 22525 5 Carnegie Street BROADWOOD WA 6430					
Local Government Authority		City of Kalgoorlie-Boulder					
Application documents							
HPCM file reference number:		DER2018/1659					
Key application documents (additional to application form):		<i>Attachment 2 – Premises Map and CDS Bin Location Additional amendment request received 9 August 2022</i>					

Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	<p><i>Licence amendment</i></p> <p>Glass CDS materials are proposed to be stored outside in an uncovered container which is currently not permitted under the existing licence.</p> <p>Removal of limit on minor quantities of other putrescible wastes received inadvertently as contamination within approved waste types in Table 3: Types of waste authorised to be accepted onto the premises.</p>	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 62: Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use (500 tonnes or more per year)	5000 tonnes per annual period	N/A - No change proposed
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: N/A EPA Report No: N/A
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No: N/A
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input type="checkbox"/> No <input type="checkbox"/>	N/A – not required for an amendment
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: If N/A explain why? Not required. The relevant Planning Approvals are

		still valid
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A Licence / permit not required.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: N/A Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: P1 / P2 / P3 / N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Environmental Protection (Noise) Regulations 1997</i>
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
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