Government of Western Australia
Department of Water and Environmental Regulation

Amendment Report

Licence Number	L9197/2019/1
Licence Holder	Allied Metal Recyclers Pty Ltd
ACN	106 294 428
File Number:	DER2019/000152~1
Premises	Allied Metal Recyclers 13B Stott Road WELSHPOOL WA 6106 Legal description – Lot 8 on Diagram 36953 Certificate of Title Volume 2004 Folio 408, and Lot 201 on Deposited Plan 65832 Certificate of Title Volume 2745 Folio 636
Date of Report	**24 December 2019**

1. Definitions and interpretation

Definitions

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

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
Amendment Report	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the *Environmental Protection Act 1986* Locked Bag 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DFES GN02	means the document titled *Guidance Note GN02: Bulk Storage of Rubber Tyres including shredded and crumbed tyres* published by the Department of Fire and Emergency Services
DWER	Department of Water and Environmental Regulation
EP Act	*Environmental Protection Act 1986* (WA)
EP Regulations	*Environmental Protection Regulations 1987* (WA)
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Hydrocarbon Absorbent Boom	means elongate hydrophobic polypropylene material which is capable of containing and absorbing hydrocarbons, or suitable equivalent.
Licence Holder	Allied Metal Recyclers Pty Ltd

Term	Definition
Noise Regulations	*Environmental Protection (Noise) Regulations 1997* (WA)
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Amendment Report applies, as specified at the front of this Amendment Report.
Polypropylene Drain Warden	means a polypropylene filter which is placed into a stormwater drain and is capable of removing hydrocarbons and particulates from stormwater runoff.
Revised Licence	the amended Licence issued under Part V, Division 3 of the EP Act, with changes that correspond to the assessment outlined in this Amendment Report.
Risk Event	as described in *Guidance Statement: Risk Assessment*
Scrap metal	means ferrous and non-ferrous metal that is unwanted, discarded or recovered for recycling and/or reprocessing.

2. Amendment Description

The following guidance statements have informed the assessment and decision outlined in this Amendment Report:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guideline: Decision Making (June 2019)*
- *Guidance Statement: Risk Assessment (February 2017)*
- *Guidance Statement: Environmental Siting (November 2016)*

2.1. Purpose and scope of assessment

On 29 October 2019, Allied Metal Recyclers Pty Ltd (the Licence Holder) submitted a Licence amendment application for the Allied Metal Recyclers facility located at 13 Stott Road, Welshpool (the Premises). The amendment was sought by the Licence Holder to rectify non-compliances with timeframes specified in exiting licence conditions, relating to the installation of infrastructure and removal of tyres from the Premises, and the subsequent submission of documentation to confirm compliance with these requirements.

The Licence Holder also requested conditions to be removed from the licence which specify that all soakwells at the Premises must be surrounded by hydrocarbon absorbent booms to assist with the management of emissions of potentially contaminated stormwater. Since the issuing of the Existing Licence, the Licence Holder has found the use of the hydrocarbon absorbent booms to be ineffective and impractical to maintain during daily Premises operations.

The Licence Holder has also provided further clarity surrounding the use of the oxy-area as defined in Figure 1, and has expressed concerns that current conditions within the Existing Licence do not accurately reflect site operations. It was requested as the amendment application was progressed that these conditions also be reworded.

No changes to Premises throughput are proposed as a part of this amendment.

2.2. Background

The Premises is licensed under Category 47 – Scrap metal recovery and has a maximum throughput and design capacity of 80,000 tonnes per annual period. Scrap metal is primarily sourced from scrap metal bin services, the dismantling and demolition of steel structures, general commercial, industrial and agricultural site clean-up, and auction disposals. Once accepted, scrap metal is sorted into designated stockpiles for:

- in-size ferrous items (lengths of steel, empty drums and tanks, sheet metal);
- non-ferrous items (aluminium, brass, copper); and
- oversize ferrous items (large scale industrial steel and redundant machinery) to be sized using oxy acetylene (oxy area) and/or using fixed or mobile shears prior to transport offsite.

Once sorted, non-ferrous material is manually sorted within the non-ferrous shed, with any ferrous material still remaining removed using magnets and returned to the ferrous stockpiles. Non-ferrous material is then baled within the shed. Oversized ferrous items are reduced in size using the on-site fixed shearer or through oxy-cutting in the oxy-area as defined in Figure 1, before being transferred to the insize stockpile. Wastes which are received at or have been reduced to their transportable sizes are then loaded into tipped sea containers for exportation to overseas markets. The locations of stockpiles and on-site infrastructure is outlined in Figure 1 below.

Figure 1: Aerial overview of Premises

During the initial Licence assessment several concerns with Premises operations were flagged with the Licence Holder which, through the Departments risk assessment framework, were determined to need remedying action either prior to the Licence being granted or through the addition of improvement conditions within the Licence. A summary of identified issues and actions taken by DWER and the Licence Holder are detailed in Table 2 below. Further detail surrounding DWER's risk assessment and justification for the addition of conditions to the Licence can be found in the Existing Licence's associated Decision Report (6 August 2019).

Table 2: Summary of identified issues at the Premises and resulting actions

Issue identified by the Department	Action taken by Licence Holder	Action taken by DWER	Licence Holder response
Baled tyres located at the Premises would require the addition of category 57 to the Licence. Storage would also be subject to requirements as outlined by DFES GN02.	All tyres to be removed for disposal at an appropriately licenced facility.	Condition 5 included in the Licence specifying that all tyres must be removed from the Premises by 31 August 2019. Condition 6 included in the Licence specifying that written correspondence must be provided to the Department by 30 September 2019 confirming all tyres have been removed from the Premises.	Conditions accepted for inclusion in the Licence following review of draft documents. Timeframes of 31 August 2019 and 30 September 2019 accepted and confirmed as achievable.

Issue identified by the Department	Action taken by Licence Holder	Action taken by DWER	Licence Holder response
Existing infiltration soakwell network at the Premises is not an adequate control to mitigate the emission of potentially contaminated stormwater.	All soakwells will be surrounded with hydrocarbon absorbent booms and fitted with polypropylene drain wardens for the filtration of potentially contaminated stormwater prior to discharge via the infiltration soakwell network.	Condition 12 included in the to the Licence detailing infrastructure to be used at the Premises. Condition 13 included in the Licence specifying that all infrastructure specified by Condition 12 must be installed by the 31 August 2019. Condition 14 included in the Licence specifying that evidence confirming the requirements of Condition 13 have been met must be submitted to the department within 30 days of the infrastructure being installed.	Conditions accepted for inclusion in the Licence following review of draft documents. Timeframes of 31 August 2019 accepted and confirmed as achievable. Timeframe of 30 days after installation of infrastructure for the submission of evidence accepted and confirmed as achievable.
Material located in the oxy-area (identified in Figure 1) appear to be restricting vehicle movement access – potential concern in the event of a fire. Soakwells are also present underneath stockpile with no mitigation in place for the emission of potentially contaminated stormwater.	All material will be removed from the Oxy-area to allow for better movement of vehicles around the Premises. Following removal of this material, absorbent booms and drain wardens will be placed on and in the soakwells in this area.	Condition 12 included in the Licence requiring all soakwell drains be kept free of waste Condition 15 included in the Licence requiring all waste materials be removed from the oxy-area by 31 August 2019. Condition 16 included in the Licence requiring photographic evidence be submitted to the Department confirming that all waste materials have been removed from the oxy-area, by 30 September 2019.	Conditions accepted for inclusion in the Licence following review of draft documents. Timeframes of 31 August 2019 and 30 September 2019 accepted and confirmed as achievable.

The Licence Holder failed to submit the compliance documentation required by Conditions 6, 14 and 16 of the Existing Licence by the accepted date of 30 September 2019. Follow up correspondence sent to the Licence Holder on 4 October 2019 and 15 October 2019 did not adequately meet the requirements of these conditions. As a result, non-compliance with Conditions 6, 14 and 16 of the Existing Licence was identified. As compliance documentation was not submitted to the Department, a potential non-compliance relating to the specified date of 31 August 2019 for the removal of tyres and materials within the oxy-area at the Premises, as well as the installation of infrastructure, was also identified.

2.3. Proposed changes to Existing Licence

To rectify current non-compliances with the Existing Licence, the Licence Holder has proposed

to amend the licence to extend the due dates for the installation of infrastructure and the subsequent submission of compliance documentation confirming that these actions have been taken.

The Licence Holder has also included a submission date for annual groundwater monitoring data, however as no non-compliance is noted at this stage surrounding groundwater monitoring conditions within the Existing Licence, this will not be considered as a part of this amendment.

Tyre removal from the Premises

As a part of this amendment, the Licence Holder has provided additional evidence to the Department to confirm that all tyres have been removed from the Premises and that water filled barriers have been installed in their place. Subsequently, the Delegated Officer has removed conditions from the licence relating to the removal of tyres and the providing of compliance documentation.

Installation of stormwater management infrastructure

The Licence Holder has requested conditions be removed from the licence which specify that all soakwells at the Premises must be surrounded by hydrocarbon absorbent booms to assist with the management of emissions of potentially contaminated stormwater. Since the issuing of the Existing Licence the Licence Holder has assessed the practicality and efficiency of the booms when placed around the soakwells and has determined that:

- The booms are difficult to secure to the soakwells and will be exposed to damage by on site equipment, requiring frequent readjustment and replacement;
- The booms have limited effectiveness when placed on concrete hardstand area if they become obstructed by foreign items; and
- The booms are ineffective during storm events where surface water flow is high, as the water flow shifts the boom out of place resulting in inadequate contact with stormwater for the removal of potential contaminants.

The Licence Holder has advised that polypropylene drain wardens, required to be installed on every soakwell of the Premises under conditions within the Existing Licence, adequately control the emission of potentially contaminated stormwater without the use of the hydrocarbon absorbent booms.

The drain wardens consist of a polypropylene filter fabric which acts to trap contaminants. A mini-hydrocarbon absorbent boom is also placed within the drain wardens to capture hydrocarbons should the drain warden material become saturated. The drain wardens have the capacity to contain 20L of oil and will also act to catch small waste metal materials and sediments to prevent them from effecting soakwell performance. The drain wardens will be inspected weekly by the site manager to ensure that they are functioning optimally, and will be replaced if discovered to be damaged or at capacity, as per conditions within the Existing Licence. The hydrocarbon absorbent booms will be retained on site for use in the retention of hydrocarbon spills, in conjunction with other temporary control measures.

The Licence Holder advised that 20 drain wardens have been installed into soakwells across the site to-date, and that 22 soakwells remain to be upgraded and retrofitted with drain wardens. This is due to occur as soon as additional stock has been received to the site. There are also 4 drains that cannot be located or found on the site which were previously indicated on the stormwater management system map which was provided as a part of the original licence application. The Licence Holder has provided an updated map for inclusion in the licence which is an accurate representation of the locations of stormwater management infrastructure on the Premises.

The Delegated Officer considers that an extension of the due dates for the installation of the drain wardens will not pose a significant environmental risk given we are in the summer months of the year. The due dates for the installation of the drain wardens has therefore been extended

to no later than 10 January 2020. Associated compliance documentation confirming installation will be due to be submitted by no later than 31 January 2020.

Functionality of the Oxy-area

The Licence Holder has expressed concern with current wording within the licence relating to the operational functionality of the oxy-area. As the oxy-area is designated on the Premises for the oxy-cutting of larger materials down to size, the Licence Holder has advised that there will always be some materials present within this area. The licence conditions currently state that all scrap metals must be removed from the oxy-area. As such, the Delegated Officer has amended the licence to specify that all stockpiled materials must be removed from the oxy-area by 10 January 2020. This aligns with Premises operations where all material is stored either in the oversize pile prior to resizing via shearing or oxy-cutting, or the insize stockpile after resizing has occurred. Additional conditions have also been included to clearly define that the oxy-area is not to be used for the stockpiling of materials. Compliance documentation confirming the removal of all stockpiled materials is due to be submitted by no later than 31 January 2020.

3. Other approvals

The Licence Holder has provided the following information relating to other approvals as outlined in Table 3.

Table 3: Relevant approvals

Legislation	Number	Approval
Planning and Development Act 2005	15/17650.2	Development Approval issued by the City of Canning 15 February 2017 for scrap metal recycling facility – modifications to an existing approval (alterations to existing general industry site and change of use to salvage yard) The Development Approval has no expiry.

4. Location and receptors

Table 4 below lists the relevant environmental receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 4: Environmental receptors and distance from activity boundary

Environmental receptors	Distance from Prescribed Premises
Water Corporation – Banksia Road Stormwater compensation basin	Adjacent to the east of the Premises
Bushforever site No. 424 • McDowell Street Bushland, Welshpool	270m south of the Premises
Bushforever site No. 283 • Queens Park Bushland, Queens Park	660m south-west of the Premises.
Rights in Water and Irrigation Act 1914 (RIWI) • Perth Groundwater Area (proclaimed area under RIWI Act)	Premises located within this mapped area Results from on-site groundwater monitoring indicates that water levels were encountered between 2.503 m below ground level (mbgl) to

	3.776 mbgl (*Soil and Groundwater Monitoring Event* (SGME, Pumps United 2018)).
Threatened and Priority Flora and Fauna • *Calyptorhynchus latirostris* (Carnaby's Cockatoo) • *Macarthuria keigheryi* (Keighery's Macarthuria)	Threatened and Priority Flora and Fauna mapped within 1000m to the south of the Premises, associated with Bushforever site No. 283 and 424
Threatened Ecological Communities • Banksia dominated woodlands of the Swan Coastal Plain IBRA Region • Banksia dominated woodlands over species rich dense shrubland	Premises located within this mapped area - there are a number of Threatened Ecological Communities identified within close proximity.
Green Growth Wetlands Commitments • Southern River Complex	270m south of Premises.
Geomorphic Wetlands – Swan Coastal Plain • Dampland basin	750m south-east of Premises.

5. Risk assessment

Table 5 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. Both tables identify whether the emissions present a material risk to public health or the environment, requiring regulatory controls.

Table 5: Risk assessment for proposed amendments during operation

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Source/Activities	**Potential emissions**	**Potential receptors**	**Potential pathway & receptor (impact)**	**Applicant controls**					
High rainfall events and storage of materials at the Premises	**Potentially contaminated stormwater and surface water run-off:** all active areas and stockpiles	Banksia Road stormwater compensation basin east of Premises Perth Groundwater Area – Premises located within designated area Green Growth Wetlands – Southern River Complex 270m south of Premises	**Stormwater and surface water run-off:** Contamination of stormwater due to interaction with residual matter on stockpiled materials	As detailed in Section 2.3.	Moderate	Likely	Medium	<u>Requirement to install hydrocarbon absorbent booms removed</u> The Delegated Officer considers that the installation of hydrocarbon absorbent booms will have minimal contribution to the filtration of potentially contaminated stormwater, based on the Licence Holders findings that the booms are difficult to secure and maintain in place around the soakwells. <u>Drain Warden Installation</u> The Delegated Officer considers that the extension to the due dates for the installation of drain wardens to all soakwells at the Premises will not significantly affect emissions and discharges arising from the Premises. Polypropylene drain wardens installed within every soakwell should provide adequate mitigation for the emission of potentially contaminated stormwater, providing regular inspection is undertaken to ensure the drain wardens are functioning optimally. <u>Removal of stockpiled material from the oxy-area and process updates</u> The removal of stockpiled material from the oxy-area will allow for adequate access to soakwells that exist within the area for the installation and maintenance of drain wardens. The existence of some items in the area for oxy-cutting purposes only will not affect the Licence Holder's ability to inspect and maintain drain wardens, or to keep the soakwells free of waste. The Delegated Officer has subsequently amended the Licence to reflect site operations where all material will be stored at the Premises across the oversize and insize stockpiles, whose areas are defined in Figure 1.	Condition 5: Process limitations for oxy-area. Condition 10: Infrastructure and equipment specifications Conditions 11 and 12: dates specified for infrastructure installation and compliance documentation submission Conditions 13 and 14: removal of stockpiled materials from oxy-area.
			Stormwater and surface water run-off: Potential for contaminated stormwater and small metal waste fragments to enter infiltration soakwells		Moderate	Possible	Medium		

6. Consultation

Table 9: Summary of consultation

Method	Comments received	DWER response
12 November 2019 – Draft Decision report and Licence referred to the Applicant	The address of the Site is 13B Stott Road, Welshpool WA 6106	Premises address updated.
	It has been determined by Allied Metal Recyclers that four soakwells/drains do not exist. These locations have been marked on the Stormwater Layout Diagram with a 'X' symbol. Allied Metal Recyclers advises the total count of soakwells to be 42 instead of 46. See attached stormwater layout diagram showing the results of a visual survey to locate soakwells/drains.	Updated map of soakwell locations included in Licence, replacing existing Figure 2 of Schedule 1.
	Allied Metal Recyclers confirms that drain wardens will be installed in every soakwell/drain on the Premises by no later than 10 January 2020. Allied Metal Recyclers confirms that associated compliance documentation will be submitted to the department by no later than 31 January 2020.	Proposed dates retained in amended licence.
	Allied Metal Recyclers have acknowledged and accepted the change in condition wording, so that no stockpiling of metal is to occur within the oxy-area.	Proposed condition wording retained in amended licence.
	Allied Metal Recyclers confirms that all stockpiled materials will be removed from the Oxy-area of the Premises by 10 January 2020, within the limitations of site operations. Allied Metal Recyclers confirms that associated compliance documentation will be submitted to the department by no later than 31 January 2020.	Proposed dates retained in amended licence.

7. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a licence amendment will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

7.1. Summary of amendments

Table 10 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 10: Licence amendments

Condition No.	Proposed amendments
N/A Table 1	Removal of definition for 'Hydrocarbon Absorbent Boom'
N/A Table 1	Insertion of definition for 'Oxy cutting'
5	Removed from Licence – below conditions subsequently renumbered
6	Removed from Licence – below conditions subsequently renumbered
10 Table 5	Removal of requirements relating to the installation and maintenance of hydrocarbon absorbent booms
11	Change of date from 31 August 2019 to 10 January 2020
12	Change of wording from 'within 30 days of completion' to 'by no later than 31 January 2020
13	Change of wording to encompass stockpiled material Change of date from 31 August 2019 to 10 January 2020
14	Change of date from 30 September 2019 to 31 January 2020
N/A Schedule 1	Figure 2 - Stormwater management network replaced with updated map to reflect accurate location of soakwells
N/A Table 9	Removal of 'Hydrocarbon Absorbent Booms' from Premises infrastructure

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A SENIOR MANAGER WASTE INDUSTRIES REGULATORY SERVICES
An officer delegated by the CEO under section 20 of the EP Act

Appendix 1: Key documents

Document title	Availability
DES, July 2019, *Best practice environmental management guideline for scrap metal recycling facilities operating fragmentisers* , Department of Environment and Science, Queensland.	accessed at www.environment.des.qld.gov.au
EPA, June 2017, *Proposal for minimum environmental standards in the scrap metal industry*, Environmental Protection Authority, NSW.	accessed at www.epa.wa.gov.au
VACC, November 2014, *Automotive Environmental Guide,* Victorian Automotive Chamber of Commerce, VIC.	accessed at www.vacc.com.au
DER, July 2015. *Guidance Statement: Regulatory principles.* Department of Environment Regulation, Perth.	accessed at www.dwer.wa.gov.au
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DWER, June 2019. *Guideline: Decision Making*. Department of Water and Environment Regulation, Perth.	