



Application for Licence

Division 3, Part V *Environmental Protection Act 1986*

Licence Number	L9262/2020/1
Applicant	Minesite Recycling Pty Ltd
ACN	128 335 893
File Number	DER2020/000313
Premises	Minesite Recycling 68 Chaffers Street SOUTH BOULDER, WA 6432 Lot 1912 on Deposited Plan 187369, Volume 2068 Folio 584, as depicted in Figure 1 and Figure 2 of the Licence
Date of Report	10/12/2020
Status of Report	Final

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Definitions of terms and acronyms

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

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
AS 1851	Australian Standard AS 1851-2012: <i>Routine service of fire protection systems and equipment</i> (as amended from time to time)
AS2444: 2001	Portable Fire Extinguishers and Fire Blankets – Selection and Location
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CS Act	<i>Contaminated Sites Act 2003 (WA)</i>
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 As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the <i>Public Sector Management Act 1994</i> and is responsible for the administration of the <i>Environmental Protection Act 1986</i> along with other legislation.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Licence Holder	Minesite Recycling Pty Ltd
T	tonnes

Minister	the Minister responsible for the EP Act and associated regulations
NEPM	National Environmental Protection Measure
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
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 Decision Report applies, as specified at the front of this Decision Report
Risk Event	As described in <i>Guidance Statement: Risk Assessment</i>
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>

1. Purpose and scope of assessment

Minesite Recycling Pty Ltd (applicant) submitted an application for a new Licence to operate a liquid waste facility (category 61), on 28 July 2020. The proposed new Licence is for Lot 1912 on Plan 187369, South Boulder, WA, 6432 (premises).

The premises is fully constructed and has been operational but below threshold trigger values, as per the *Environmental Protection Regulations 1987*, Schedule 1, Part 1. No additional construction is proposed as part of the new Licence.

The application has defined potential environmental risk from the proposed premises operation as being noise, dust, leachate and fire.

1.1 Application details

Table 2 lists the documents submitted during the assessment process.

Table 2: Documents and information submitted during the assessment process

Document/information description	Date received
Licence Application received via email from Belinda Bastow Environmental Advisor for Minesite Recycling	28 July 2020
Email: RE: – Request for further information – following information received from Belinda Bastow: <ul style="list-style-type: none">- Operational activities- Emissions and discharges- Soil and groundwater information- Premises design capacity	28 August 2020
Email: RE: – Request for further information - Waste code for control waste stored to be stored on site received from Belinda Bastow	22 September 2020

2. Background

The premises is located in an area zoned “General Industry” under the City of Kalgoorlie Boulder Planning Scheme.

The Applicant is a privately owned company that operates from Lot 1912 on Plan 187369, South Boulder, WA, 6324.

The premises is currently operational for the receipt, handling, temporary storage of waste mineral oil (J100), which is then sold to clients locally for reuse purposes.

The nearest residential sensitive receptor has been identified as being located approximately 1.5 km from the premises.

Table 3 lists the prescribed premises categories that have been applied for.

Table 3: Prescribed Premises Categories in the Existing Licence

Classification of Premises	Description	Approved Premises production or design capacity or throughput
Category 61	Liquid waste facility	10,000 tonnes per year

3. Overview of Premises

3.1 Operational aspects

The following information in relation to premises operation has been summarised from the application:

Minesite Recycling collects waste oil generated across the Goldfield Region. This oil is collected in 1000L Intermediate Bulk Containers (IBCs) and is transported to the premises.

Typically, 15-30 IBCs of waste oil (15,000-30,000L) are expected to be received per week, however some weeks the volume received could be up to 72 IBC's (72,000L). All IBCs containing waste oil will be off-loaded and stored inside the shed on a concrete floor. Other IBCs collected that are empty will be stored outside. The IBCs will be re-loaded onto a flat-bed truck, and taken to a client for reuse locally.

It is expected that a truck with up to a total of 50 IBCs will be loaded and sent offsite at least once a week, however this may occur once a fortnight depending on supply. The concrete ramp will be used for the loading and unloading of IBCs. This will typically occur during the week however, IBCs may arrive onsite on the weekend and will be offloaded by onsite staff.

The facility will be manned during normal office hours and for a half day on Saturday. All operators and people entering the premises will be ticketed and inducted. Induction papers and facility information, e.g. spill and emergency procedures, will be kept onsite.

The internal dimensions of the storage shed are 19m in length and 15.2m in width. The waste oil storage area is 15m by 8m (figure 1 below).

With the dimensions of each IBC being 1.2m in both length and width, the shed has a potential storage capacity of up to 72 IBCs at a single height layer and up to 144 IBCs if they are to be stacked two high. The storage area has the potential to store a total of between 72,000L - 144,000L of waste oil at any time (for the purpose of this calculation it is assumed that one pod holds 1,000L). However, the facility will aim to store a maximum of 70 IBCs (70,000L) onsite.

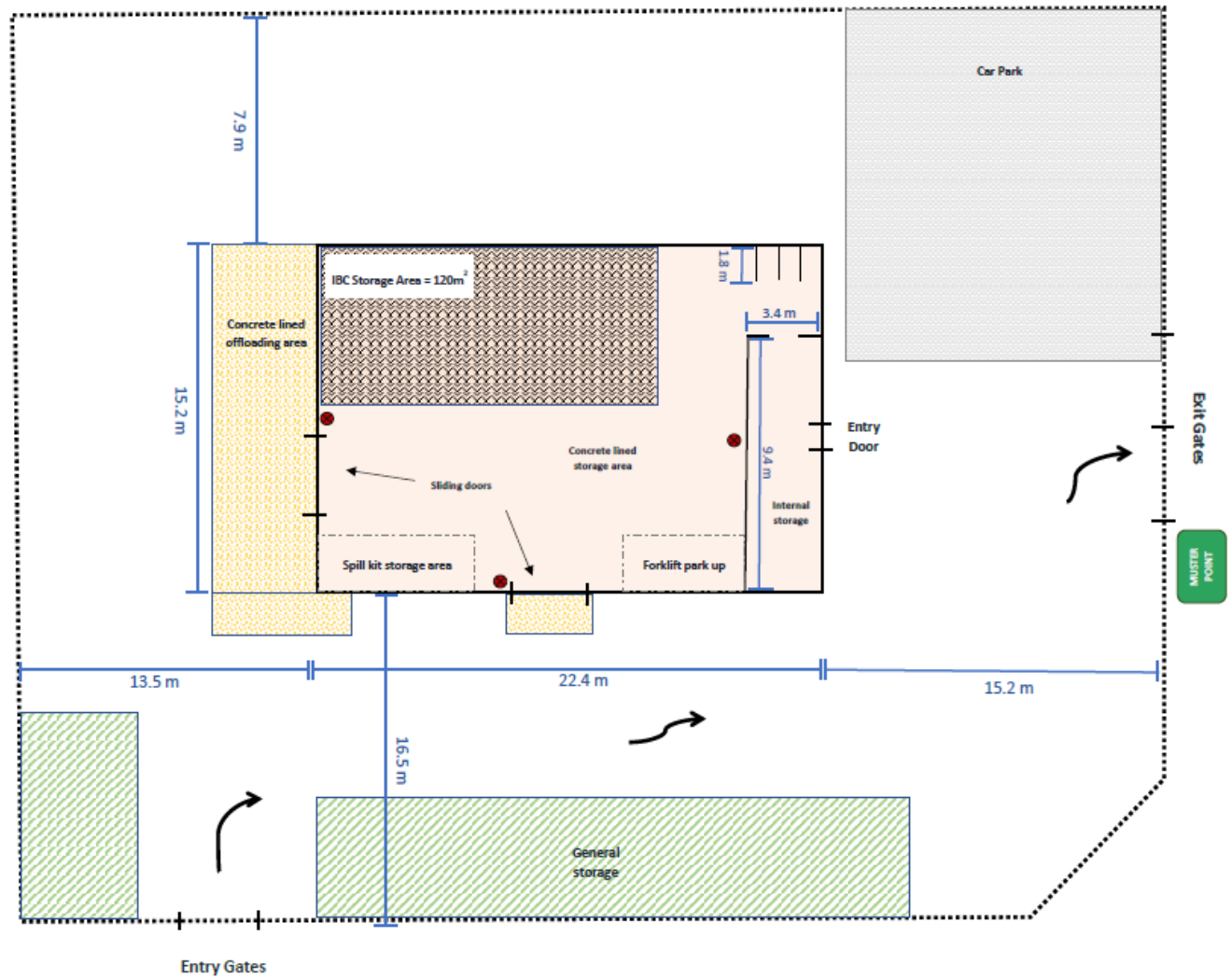
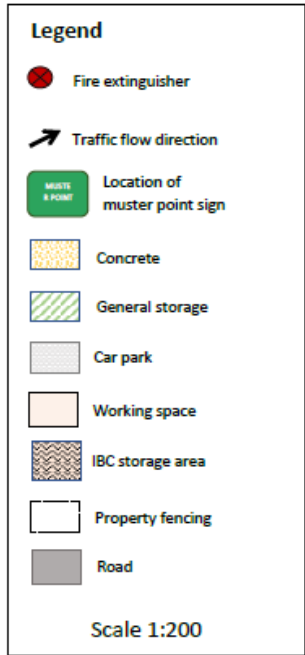


Figure 1: Floor Plan

4. Legislative context

Table 4 summarises approvals relevant to the assessment.

Table 4: Relevant approvals

Legislation	Number	Subsidiary	Approval
<i>Planning and Development Act 2005</i>	Ref: P106/20	Minesite Recycling Pty Ltd.	Applicant has lodged a development and planning application with City of Kalgoorlie Boulder. Confirmation received from City of Kalgoorlie Boulder planning department

4.1 Contaminated sites

Lot 1912 on Deposited Plan 187369 is not listed on DWER's contaminated sites database.

4.2 Other relevant approvals

4.2.1 Planning approvals

The Applicant contacted City of Kalgoorlie Boulder, Planning Officer, who confirmed that planning approval will be required to operate the liquid waste facility. The application was lodged with City of Kalgoorlie Boulder and is currently under assessment.

4.3 Part V of the EP Act

4.3.1 Applicable regulations, standards and guidelines

The overarching legislative framework of this assessment is the EP Act and EP Regulations.

The guidance statements which inform this assessment are:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Land Use Planning (February 2017)*
- *Guidance Statement: Licence Duration (August 2016)*
- *Guidance Statement: Publication of Annual Audit Compliance Reports (May 2016)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessments (February 2017)*
- *Guidance Statement: Environmental Siting (November 2016)*

4.3.2 Licence history

Table 5 summarises the works approval and licence history for the premises.

Table 5: Works approval and licence history

Instrument	Issued	Nature and extent of works approval, licence or amendment
L9262/2020/1	10/12/2020	New Licence to permit operation of a Category 61 (Liquid waste facility).

4.3.3 Key and recent works approvals

The prescribed premises was not constructed under a works approval, and has been operating below *Environmental Protection Regulations 1987* category threshold trigger values.

The applicant has recently identified that the premises production volumes are increasing and will require a Licence to operate, in accordance with the *Environmental Protection Act 1986*.

4.3.4 Clearing

No clearing is required as part of this application process. The premises is currently fully operational and located within a zoned 'industrial area'.

5. Consultation

The Application was advertised for public comment in The West Australian newspaper on 23 September 2020 seeking comments back within 21 days.

The Application was referred to the City of Kalgoorlie Boulder on 23 September 2020 inviting comments on the application. Comments are due by 14 October 2020.

Comments received from the City of Kalgoorlie Boulder are summarised below:

- the proposal is consistent with the City's Town Planning Scheme No.1 and is a permitted use;
- the City is currently in receipt of an application for planning approval (Ref: P106/20) for the storage of liquid waste at this facility, submitted by Minesite Recycling Pty Ltd and this application is likely to be approved;
- City's Water Services Department has no objections to the proposed waste oil storage facility;
- Any future additions, alterations or change of use of the premises (other than general storage) that alters or changes the type of industrial and/or liquid waste generated must have the City's approval; and
- If the premises is found to be generating liquid industrial waste that is impacting on the City's sewer mains, then it will be required to install an appropriately sized and W/Corp approved pre-treatment device to ensure liquid waste meets the City's acceptance criteria prior to discharging to the sewer.

5.1 Siting context

The premises is located within the entire Lot 1912 on Plan 187369, South Boulder, WA 6432, within the City of Kalgoorlie Boulder local government authority area.

The premises is within the 'general industry' zoned area of the City's town planning scheme No 1 (TPS1). The nearest residential premises is approximately 300m to the north of the Premises. The Premises is predominately surrounded by commercial premises.

5.2 Residential and sensitive receptors

The distances to residential and sensitive receptors are detailed in Table 6.

Table 6: Receptors and distance from activity boundary

Sensitive Land Uses	Distance from Prescribed Activity
Residential Premises	The applicant has determined that the closest residential sensitive receptor is approximately 300 m from the prescribed premises. DWER Geocortex dataset review of the premises location identifies that it is located within a 'General industry' zoned area, under Local Planning Scheme.
Main Reef Tavern	Approximately 450m north of the proposed premises boundary

5.3 Specified ecosystems

Specified ecosystems are areas of high conservation value and special significance that may be impacted as a result of activities at or Emissions and Discharges from the Premises. The distances to specified ecosystems are shown in Table 7. Table 7 also identifies the distances to other relevant ecosystem values which do not fit the definition of a specified ecosystem.

The table has also been modified to align with the *Guidance Statement: Environmental Siting*.

Table 7: Environmental values

Specified ecosystems	Distance from the Premises
Public Drinking Water Supply Area	The premises is not located within a Public Drinking Water Supply Area (PDWSA). The nearest PDWSA is located approximately 20km from the premises boundary.
Threatened and/or priority fauna- protected migratory birds	Approximately 1km south of the premises.
Priority 3 flora	Approximately 1.5 km west of the premises.

5.4 Groundwater and water sources

The distances to groundwater and water sources are shown in Table 8.

Table 8: Groundwater and water sources

Groundwater and water sources	Distance from Premises	Environmental value
Groundwater	Depth to groundwater encountered at approximately 10 – 20 mbgl.	Hypersaline groundwater. No beneficial uses of groundwater in the site vicinity. Groundwater mainly used for dust suppression in that area.

5.5 Soil type

Table 9 details soil types and characteristics relevant to the assessment.

Table 9: Soil and sub-soil characteristics

Groundwater and water sources	Distance from Premises	Environmental Value
Soil type classification	Soils underlying the area consists of loams to clay based with a median range of 20-55% clay content.	Does not drain easily.

5.6 Meteorology

The following meteorological data and information was extracted from the Bureau of Meteorology website using Kalgoorlie Boulder airport site 012038 which is located approximately 8 km north-west of the premises.

5.6.1 Wind direction and strength

Wind speed and wind direction are important factors influencing the pathway of emissions. It effects noise propagation and transport of fugitive dust. The Bureau of Meteorology (BoM) provides the 9am and 3pm wind speed and direction for Kalgoorlie Boulder airport weather station. Prevailing winds are from the east, north and south easterly in the mornings, and from the west, south easterly and north westerly in the afternoons.

It is important to note that these wind roses show historical wind speed and wind direction data for Kalgoorlie boulder airport weather station and should not be used to predict future data.

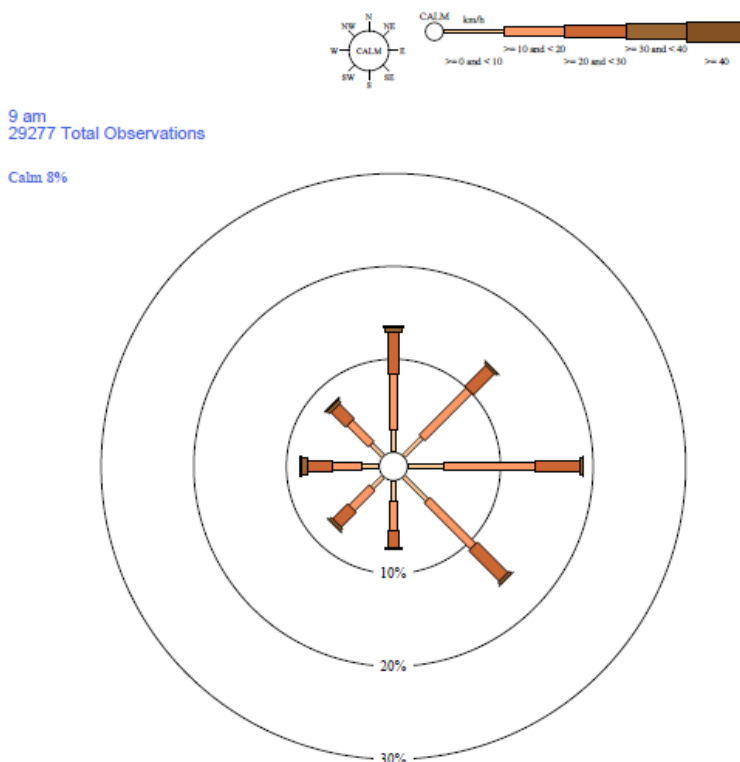


Figure 2: 9am Rose of Wind

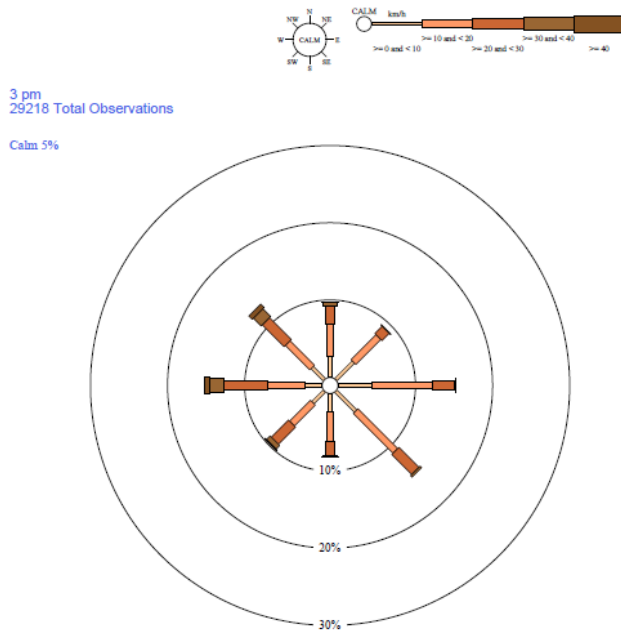


Figure 3: 3pm Rose of Wind

5.6.2 Rainfall and temperature

Maximum average rainfall is received in January, February and June annually. Minimum average rainfall is received September to December annually (Figure 4).

Highest average temperatures are experienced December to February annually. Lowest average temperatures are experienced June and July (Figure 4).



Figure 4: Rainfall and Temperature

6. Risk assessment

6.1 Determination of emission, pathway and receptor

In undertaking its risk assessment, DWER will identify all potential emissions pathways and potential receptors to establish whether there is a Risk Event which requires detailed risk assessment.

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. Where there is no actual or likely pathway and/or no receptor, the emission will be screened out and will not be considered as a Risk Event. In addition, where an emission has an actual or likely pathway and a receptor which may be adversely impacted, but that emission is regulated through other mechanisms such as Part IV of the EP Act, that emission will not be risk assessed further and will be screened out through Table 10.

The identification of the sources, pathways and receptors to determine Risk Events are set out in Table 10 below.

Table 10. Identification of emissions, pathway and receptors during operation

Risk Events					Continue to detailed risk assessment	Reasoning	
Sources/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts			
Category 61 – Liquid waste facility	<i>Liquid Waste acceptance, handling (during unloading), storage and loading for distribution to clients locally.</i> <i>Vehicle movements</i>	<i>Dust</i>	<i>Residential receptors 300 m from the premises</i> <i>Priority 3 flora approximately 1.5 km from the premises</i>	<i>Air / wind dispersion</i>	<i>Air/windborne pathway causing impacts to health and amenity of closest human receptors.</i> <i>Potential suppression of photosynthetic functions (priority flora) due to the emissions from the premises</i>	<i>No</i>	<i>Speed limit signs will be displayed.</i> <i>The Delegated Officer considered that the applicant controls are acceptable for the mitigation of dust emissions.</i> <i>The general provisions of the EP Act are considered sufficient in regulating dust emissions.</i>

Risk Events					Continue to detailed risk assessment	Reasoning
Sources/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts		
	Noise	Residential receptors 300 m from the premises	Air / wind dispersion	Health & Amenity impacts	No	The Delegated Officer considers that noise emissions can be adequately regulated under the Environmental Protection (Noise) Regulations 1997.
	Odour	Residential receptors 300 m from the premises	Air / wind dispersion	Health & Amenity impacts	No	Licence condition 4 restricts the type of liquid waste received (IBCS) and how waste is handled onsite. The Delegated Officer considers that the general provisions of the EP Act are sufficient in regulating odour emissions.
	Spillages/ Breach of containment causing discharge to land/ Contaminated runoff as a result of rain water interacting with any liquid waste spilt or tracked out of the storage shed	Groundwater (10 – 20 mbgl), surrounding areas	Overland runoff and infiltration to groundwater	potentially causing ecosystem disturbance or impacting ground water quality	No	Licence condition 1 requires the clean-up and containment of any spills onsite. Licence condition 1 requires the maintenance of drains and sumps to ensure the continued performance of the stormwater and drainage systems. Licence condition 1 restricts how liquid waste should be received onsite- only allows receipt of IBCs containing liquid waste Licence condition 4 allows for the types of waste that could be accepted at the premises The Delegated Officer considers that the provisions of section 72 of the EP Act is sufficient to regulate emissions as a result of an emergency.
	Fire/smoke-abnormal operation	Residential receptors 300 m from the premises	Air/windborne pathway	Health & Amenity impacts	Yes	Licence condition 1 requires the maintenance of the fire extinguishers in accordance with the standards. Refer to section 7.4 for a detailed assessment.

Risk Events					Continue to detailed risk assessment	Reasoning
Sources/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts		
Category 61 – Liquid waste facility		<i>Fire water – abnormal operations</i>	<i>Groundwater and surrounding areas</i>	<i>Overland runoff and infiltration to groundwater</i>	<i>Contamination of groundwater and surrounding areas</i>	Yes <i>Condition 2 requires that water is not discharged beyond the boundary of the premises in the event of the fire. Refer to section 7.4 for a detailed assessment.</i>

6.2 Consequence and likelihood of risk events

A risk rating will be determined for risk events in accordance with the risk rating matrix set out in Table 11 below.

Table 11: Risk rating matrix

Likelihood	Consequence				
	Slight	Minor	Moderate	Major	Severe
Almost certain	Medium	High	High	Extreme	Extreme
Likely	Medium	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Medium	Medium	Medium	High
Rare	Low	Low	Medium	Medium	High

DWER will undertake an assessment of the consequence and likelihood of the Risk Event in accordance with Table 12 below.

Table 12: Risk criteria table

Likelihood		Consequence		
The following criteria has been used to determine the likelihood of the Risk Event occurring.		The following criteria has been used to determine the consequences of a Risk Event occurring:		
			Environment	Public health* and amenity (such as air and water quality, noise, and odour)
Almost Certain	The risk event is expected to occur in most circumstances	Severe	<ul style="list-style-type: none"> onsite impacts: catastrophic offsite impacts local scale: high level or above offsite impacts wider scale: mid-level or above Mid to long-term or permanent impact to an area of high conservation value or special significance[^] Specific Consequence Criteria (for environment) are significantly exceeded 	<ul style="list-style-type: none"> Loss of life Adverse health effects: high level or ongoing medical treatment Specific Consequence Criteria (for public health) are significantly exceeded Local scale impacts: permanent loss of amenity
Likely	The risk event will probably occur in most circumstances	Major	<ul style="list-style-type: none"> onsite impacts: high level offsite impacts local scale: mid-level offsite impacts wider scale: low level Short-term impact to an area of high conservation value or special significance[^] Specific Consequence Criteria (for environment) are exceeded 	<ul style="list-style-type: none"> Adverse health effects: mid-level or frequent medical treatment Specific Consequence Criteria (for public health) are exceeded Local scale impacts: high level impact to amenity
Possible	The risk event could occur at some time	Moderate	<ul style="list-style-type: none"> onsite impacts: mid-level offsite impacts local scale: low level offsite impacts wider scale: minimal Specific Consequence Criteria (for environment) are at risk of not being met 	<ul style="list-style-type: none"> Adverse health effects: low level or occasional medical treatment Specific Consequence Criteria (for public health) are at risk of not being met Local scale impacts: mid-level impact to amenity
Unlikely	The risk event will probably not occur in most circumstances	Minor	<ul style="list-style-type: none"> onsite impacts: low level offsite impacts local scale: minimal offsite impacts wider scale: not detectable Specific Consequence Criteria (for environment) likely to be met 	<ul style="list-style-type: none"> Specific Consequence Criteria (for public health) are likely to be met Local scale impacts: low level impact to amenity
Rare	The risk event may only occur in exceptional circumstances	Slight	<ul style="list-style-type: none"> onsite impact: minimal Specific Consequence Criteria (for environment) met 	<ul style="list-style-type: none"> Local scale: minimal to amenity Specific Consequence Criteria (for public health) met

[^] Determination of areas of high conservation value or special significance should be informed by the *Guidance Statement: Environmental Siting*.

* In applying public health criteria, DWER may have regard to the Department of Health's *Health Risk Assessment (Scoping) Guidelines*.
 "onsite" means within the Prescribed Premises boundary.

6.3 Acceptability and treatment of Risk Event

DWER will determine the acceptability and treatment of Risk Events in accordance with the Risk treatment table 13 below:

Table 13: Risk treatment table

Rating of Risk Event	Acceptability	Treatment
Extreme	Unacceptable.	Risk Event will not be tolerated. DWER may refuse application.
High	May be acceptable. Subject to multiple regulatory controls.	Risk Event may be tolerated and may be subject to multiple regulatory controls. This may include both outcome-based and management conditions.
Medium	Acceptable, generally subject to regulatory controls.	Risk Event is tolerable and is likely to be subject to some regulatory controls. A preference for outcome-based conditions where practical and appropriate will be applied.
Low	Acceptable, generally not controlled.	Risk Event is acceptable and will generally not be subject to regulatory controls.

6.4 Risk Assessment – fire risk event

6.4.1 Description of emissions

The applicant proposes to receive hydrocarbon contaminated liquid waste for temporary storage, prior to transportation to local clients for recycling and re-refining.

Emissions from a fire are not considered to be a part of normal operation, and would only occur in an exceptional emergency circumstance.

6.4.2 Identification and general characterisation of emission

Potential emissions would be dependent on the severity and extent of the fire affecting the Premises. Given the complicated and uncertain nature of fire outbreak, emissions are considered in DWER's assessment from a worst-case scenario event such as a large fire affecting all or part of the storage area.

Hydrocarbons consist of an extremely complex mixture of a wide variety of compounds (e.g. saturated alkanes, branched alkanes, alkenes, naphthenes, aromatics including sulfur, oxygen, nitrogen, heavy metal complexes, naphtho-aromatics, large aromatic molecules like resins, asphaltenes, carboxylic acids, ethers, porphyrins, etc.).

The intense radiant heat can cause damage to neighboring properties and inhibit fire-fighting efforts, and the incomplete combustion of the dangerous goods storage containers can cause a health risk from the inhalation of particulates. With the dimensions of each IBC being at 1.2m in both length and width, the shed has a potential storage capacity of up to 72 IBCs at a single height layer and up to 144 IBCs if they are to be stacked two high. The storage area

has the potential to store total between 72,000L - 144,000L of waste oil at any time however the facility will aim to store a maximum of 70 IBCs on site.

In addition, significant volumes of contaminated fire water will be generated which will flow across the premises and potentially infiltrate into surrounding soil/ land. The contaminated firewater may contain hazardous compounds such as PFAS/ PFOS, BTEX, PAHs and carbon rich oils.

6.4.3 Description of potential adverse impact from the emission

Hydrocarbons have a varying potential for harm depending on type, and length of exposure and can damage any organ system in the human body such as ‘the nervous system, respiratory system, circulatory system, immune system, reproductive system, sensory system, endocrine system, liver, kidney, etc. and consequently can cause a wide range of diseases and disorders (Costello, 1979)ⁱ. Young children and pregnant women are more susceptible to the toxic effects.

Smoke generation has the ability to cause acrid, potentially carcinogenic (toxic) smoke that will affect the health and amenity of people within the immediate and surrounding areas causing respiratory issues.

The discharged fire waters may result in the contamination of surrounding soil/ land where discharged off the premises boundary and not adequately captured through the use of temporary bunding, or escape via stormwater drainage channels/ pipelines.

6.4.4 Criteria for assessment

The National Environment Protection (Ambient Air Quality) Measure (NEPM) 2003 recommends air quality standards that must be maintained.

Any discharges into the environment may be subject to the *Environmental Protection (Unauthorised Discharges) Regulations 2004*. Fire wastewater and any other wastes generated in the event of a fire may be subject to the *Environmental Protection (Controlled Waste) Regulations 2004*.

6.4.5 Applicant/Licence Holder controls

Potential sources of ignition will be restricted in the storage area and fire-fighting equipment will be maintained on the Premises.

This assessment has reviewed the controls set out in Table 14 below.

Table 14: Licence Holder’s proposed controls for fire

Site infrastructure	Description	Operation details	Reference to issued licence plan
Controls for fire/fire water			
Storage shed	Storage of IBCs containing liquid waste (control waste code J100)	Liquid waste will be stored in 1000L sealed IBCs on impervious concrete hardstand floors. Daily visual checks Staff will be trained to respond to emergency incidents	Application supporting documentation

Site infrastructure	Description	Operation details	Reference to issued licence plan
		<p><i>including evacuation, recognition of fire cues and fire alarm tones.</i></p> <p><i>Portable fire extinguishers will be installed and located in accordance with AS2444.</i></p> <p><i>The Premises will be enclosed by fences to prevent arson.</i></p> <p><i>The forklifts used in the operation are explosion proof and are suitable for operation in hazardous zone.</i></p> <p><i>All potential sources of ignition and heat shall be excluded from within 3 m of the storage shed.</i></p> <p><i>Spill absorbent kits will be located onsite to clean up and leaks or spills.</i></p> <p><i>A plan will be in place to ensure that fire water cannot enter surface or ground water. The provision of fire water retention facilities with such capacity as to contain any water that may be generated shall be determined in consultation with emergency services and regulatory requirements.</i></p> <p><i>Use of temporary bunding structures, use of absorption materials.</i></p> <p><i>Contaminated water will be collected and disposed of offsite by a licensed contractor to an appropriate</i></p>	

Site infrastructure	Description	Operation details	Reference to issued licence plan
		<i>licensed waste disposal facility.</i>	

6.4.6 Key findings

The Delegated Officer has reviewed the information regarding the fire risk and has found:

1. *The risk event is acceptable subject to multiple regulatory controls.*
2. *The waste oil containers will be stored on impervious concrete hardstand and with the use of bunding, in the event of an accidental fire, will assist in the containment of any leachates or firewater that may occur as a result of putting out accidental fires.*

6.4.7 Consequence

If a fire event occurs, then the Delegated Officer has determined that the impact of a fire risk will have mid-level on-site environmental impacts and low level or occasional medical treatment. Therefore, the Delegated Officer considers the consequence of a fire risk event to be **moderate**.

6.4.8 Likelihood of Risk Event

The premises has been operating under EP Regulation threshold for approximately one year and has no recorded incidents of fire at the premises.

The applicant controls, as shown in Table 15, define the mitigation measures currently in place.

The Delegated Officer has determined that the likelihood of a fire risk causing emissions (with consideration of application controls) will probably not occur in most circumstances. Therefore, the Delegated Officer considers the likelihood of a fire risk to be **unlikely**.

6.4.9 Overall rating of emission during fire

The Delegated Officer has compared the consequence and likelihood ratings described above with the risk rating matrix (Table 12) and determined that the overall rating for the risk of a fire event is **medium**.

6.5 Summary of acceptability and treatment of Risk Events

A summary of the risk assessment and the acceptability or unacceptability of the risk events set out above, with the appropriate treatment and control, are set out in Table 16 below. Controls are described further in section 8.

Table 15: Risk assessment summary

	Description of Risk Event			Applicant controls	Risk rating	Acceptability with controls (conditions on instrument)
	Emission	Source	Pathway/ Receptor (Impact)			
1.	Fire/ Smoke (abnormal operation)	Abnormal operation - Storage shed containing hydrocarbon contaminated liquid waste (J100)	Air/ wind dispersal Health/ amenity (smoke), Respiratory problems	Refer to table 15	Moderate consequence Unlikely likelihood Medium Risk	Acceptable subject to proponent controls conditioned / regulatory controls
2.	Discharge of leachates/ or firewater (abnormal operation)	Abnormal operation - contaminated firewater generated from putting out fire	Overland runoff and infiltration to groundwater	Refer to table 15	Moderate consequence Unlikely likelihood Medium risk	Acceptable subject to proponent controls conditioned / regulatory controls

7. Regulatory controls

A summary of regulatory controls determined to be appropriate for the Risk Event is set out in Table 16. The risks are set out in the assessment in section 8 and the controls are detailed in this section. DWER will determine controls having regard to the adequacy of controls proposed by the Applicant. The conditions of the Licence will be set to give effect to the determined regulatory controls.

Table 16: Summary of regulatory controls to be applied

		Controls (references are to sections below, setting out details of controls)			
		8.1.1 Infrastructure and equipment	8.1.2 Specified action	8.1.3 Monitoring	8.1.4 Reports
Risk Items (see risk analysis in section 8)	1. Fire/ smoke	•	I	•	•
	2. Firewater/ leachates	•	•	•	•

7.1 Licence controls

7.1.1 Infrastructure and equipment

The applicant will be required to operate and maintain the infrastructure listed in Table 4 in good working condition. The infrastructure was considered by the Delegated Officer in determining the risk of emissions from the Premises and is considered necessary in the minimising the risk associated to contaminated wash-water, odour, hydrocarbon, fire and smoke emissions.

7.1.2 Specified actions

The following will be required:

- the licence holder will be required to immediately clean any spills of waste on the Premises
- following a fire the applicant will be required to remove any contaminated liquid by a carrier licensed under the *Environmental Protection (Controlled Waste) Regulations 2004*;

7.1.3 Monitoring requirements

The licence holder shall be subject to total annual limits on liquid waste accepted at the premises.

7.1.4 Monitoring reports

An Annual Audit Compliance Report will be required to be submitted as a condition of the proposed Licence indicating the extent to which the licence holder has complied with the conditions in the Licence for the preceding annual period.

8. Determination of Licence conditions

The conditions in the issued Licence have been determined in accordance with the *Guidance Statement: Setting Conditions*.

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

Table 17 provides a summary of the conditions to be applied to this licence.

Table 17: Summary of conditions to be applied

Condition Ref	Grounds
Infrastructure and Equipment 1, 2 and 3	These conditions are valid, risk-based and contain appropriate controls.
Waste Acceptance and Storage 4, 5 and 6	These conditions are valid, risk-based and consistent with the EP Act.
Premises Operation 7, 8, 9 and 10	These conditions are valid, risk-based and consistent with the EP Act.
Fire Control 11, 12 and 13	These conditions are valid, risk-based and consistent with the EP Act.
Monitoring 14	This condition is valid, risk-based and consistent with the EP Act.
Records and reporting 15, 16, 17, and 18	These conditions are valid and are necessary administration and reporting requirements to ensure compliance.

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.

9. Applicant's comments

The Applicant was provided with the draft Decision Report and draft Licence on 9 November 2020. Comments received from the Applicant have been considered by the Delegated Officer as shown in Appendix 2.

10. 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, it has been determined that the Issued Licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

STEPHEN CHECKER
MANAGER WASTE INDUSTRIES
REGULATORY SERVICES 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 L9262/2020/2	Application	DWER records (A1922752)
2.	DER, July 2015. <i>Guidance Statement: Regulatory principles.</i> Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
3.	DER, October 2015. <i>Guidance Statement: Setting conditions.</i> Department of Environment Regulation, Perth.	DER 2015b	
4.	DER, August 2016. <i>Guidance Statement: Licence duration.</i> Department of Environment Regulation, Perth.	DER 2016a	
5.	DER, February 2017. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.	DER 2017b	
6.	DWER, June 2019. <i>Guideline: Decision Making.</i> Department of Water and Environmental Regulation, Perth.	DWER 2019a	

Appendix 2: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder comment	DWER response
Table 1, row 3 Firefighting equipment	The licence holder provided details/specifications for fire hydrant and fire alarm (heat detection system) available on site.	Noted. Table 1 updated

Reference

ⁱ Costello J., Morbidity and Mortality Study of Shale Oil Workers in the United States, Environmental Health Perspectives