



Application for Works Approval

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

Works Approval Number W6510/2021/1

Applicant Blue Phoenix Western Australia Pty Ltd

ACN 641 506 318

File Number DER2018/001042-4

Premises Hope Valley IBA Facility
Lot 1074 Investigator Drive
HOPE VALLEY WA

Legal description
Lot 1049 on Deposited Plan 405177
Certificate of Title Volume 2868 Folio 994
As defined by the Premises maps attached to the issued works approval

Date of Report 25 May 2021

Decision Works approval granted

Tracey Hassell
MANAGER WASTE INDUSTRIES
REGULATORY SERVICES

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

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1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the Premises. As a result of this assessment, Works Approval W6510/2021/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary and overview of Premises

On 19 February 2021, Blue Phoenix Western Australia Pty Ltd (Applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The application is to undertake construction works and time limited operations relating to the receipt and processing of incinerator bottom ash (IBA) from the Avertas Waste to Energy Plant to recover ferrous and non-ferrous metals and produce incinerator bottom ash aggregate (IBAA) at the Premises. The Premises is approximately 2.5 km northwest of Medina, within the City of Kwinana.

The Premises relates to Category 62 prescribed activities and the assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Works Approval W6510/2021/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guidance Statement: Risk Assessments* (DER 2017) are outlined in Works Approval W6510/2021/1.

The processing capacity of the premises is projected to be 110,000 tonnes of IBA per annum, producing 85,000 tonnes of IBAA, 7,500 tonnes of ferrous metals, 4,500 tonnes of non-ferrous metals and 3,000 tonnes of waste residue per annum.

2.2.1 IBA Processing

IBA is the main residue produced from the incineration of solid waste at Waste to Energy Facilities. There are currently limited Waste to Energy facilities in Australia, and therefore composition of the IBA has been determined based on overseas material where Waste to Energy facility are more widespread. The components of the final IBA will depend on the composition of the municipal solid waste incinerated at the facility. Investigations carried out by the applicant indicate that the IBA material is hygroscopic and pozzolanic in nature which means when damp the IBA tends to clump and crust. More than 60% of IBA has a particle size of >4 mm with the remainder being 0.063 mm to 4 mm. The metal content of IBA has been shown to be very low, meeting the WA Uncontaminated Fill Guidelines concentrations except for lead, cadmium and nickel. It is considered that lead is the main contaminant of concern. Testing for dioxins and furans was not provided and it is unknown if IBA contains these contaminants.

The proposed facility will process the IBA by screening the material into specific size fractions and processing using physical, magnetic and eddy current separation systems to separate ferrous and non-ferrous metals. Gravimetric separation will also be used to separate out unsuitable, light fraction and uncombusted materials as waste. These waste products will be returned to the Waste to Energy facility, while the processed IBAA materials will be transported off-site for recycling by WA Limestone. Ferrous and non-ferrous metals are similarly transported

off-site for recycling. It is anticipated that the recovered materials will be used as building material in various construction projects.

2.2.2 Planning Approval

The proposal received planning approval from the City of Kwinana on 22 April 2021. The approval is subject to conditions including stormwater and dust control,

2.2.3 Occupancy

Lot 1074 is currently owned by the Western Australian Land Authority. Kwinana WTE Project Co Pty Ltd have entered a contract to purchase the lot and have been issue an access lease by the Western Australian Land Authority. The Applicant has demonstrated occupational control of the Lot through an access agreement with Kwianna WTE Project Co Pty Ltd.

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 *Guidance Statement: Risk Assessments* (DER 2017).

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 Acoustic assessment

An environmental acoustic assessment was undertaken by the Applicant for the proposed operations. The report modelled the sound power levels of the proposed equipment against the assigned levels in the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). The report concluded that noise emissions from the proposed facility are likely to comply with the Noise Regulations, however in some circumstances a +5 dB (A) penalty may be applied if the noise is considered tonal. In this instance the Noise Regulations might not be met however if this were to occur, the Applicant indicates that local screening would be installed. The department has reviewed this modelling and considers the methodology correct and the conclusions reasonable, noting that there was limited justification for where the sound power levels were derived from.

3.1.2 Water balance

As part of the application, the applicant provided a water balance to demonstrate that the stormwater infrastructure is appropriately sized for both average rainfall and extreme rainfall events. The total system capacity for potentially contaminated run-off is calculated to be 1637m³.

The water balance was modelled for two years, using Bureau of Meteorology data from Station 009258 Anketell, and Department of Agriculture and Food evaporation data for Medina. Water was determined to be extracted from the sedimentation tank for dust suppression for 8 hours per day with the assumption that no dust suppression is required when rainfall exceeds 2 mm/day. The run-off coefficient from the hardstand was 0.7 and from the stockpile area was 0.2.

A conservative analysis without accounting for infiltration losses showed that in wet periods the infiltration basin could reach maximum water levels in the wetter months. As a result, the applicant has included a floating pump in the lined infiltration basin to allow water to be recaptured and stored within the holding tanks to further reduce the volume of water entering

the unlined infiltration basin. With the inclusion of the pump, the Applicant considered overflow into the unlined infiltration pond to be rare even with conservative estimates that still exclude infiltration losses.

The applicant has also provided further calculations to show that the stormwater system size is sufficient to hold a 1 in 100 AEP (1% AEP) storm event. Combining the surface runoff and the direct rainfall into the ponds, the inflow volume from such a storm event is estimated to be 1,907m³ which is marginally greater than the total holding capacity onsite. However, when including the infiltration rate through the base of the pond over a 72 hour storm event the pond provides enough capacity to retain the associated rainfall flow without generating surface runoff.

3.1.3 Emissions and controls

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

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Construction			
Dust	Vehicle movements and excavation/ construction activity	Air/windborne pathway causing impacts to health and amenity. Prevailing wind directions are morning westerlies and afternoon east-south easterlies	<ul style="list-style-type: none"> - Use of mulch or chemical dust control such as Dustex; - Staging of works to minimise areas of disturbance; - Fixed and mobile water sprays; and - Restricted speed limit (10 km/hr)
Noise			<ul style="list-style-type: none"> - Restricted speed limit (10 km/hr); - The facility hours of operation are restricted to 0700-1900 Monday to Saturday; and - Mobile plant to be equipped with white noise type reversing alarms.
Commissioning			
Dust	Delivery and handling of IBA, recovered metals, waste residues and IBAA	Air/windborne pathway causing impacts to health and amenity. Prevailing wind directions are morning westerlies and afternoon east-south easterlies	<ul style="list-style-type: none"> - IBA transported to premises in enclosed vehicles, bulk loaders, or sheeted vehicles; - IBA dampened before transport to premises; - 3.5 m high raw material bunker; - Fixed and mobile water sprays (cannons); - Concrete road construction; - Restricted speed limit (10 km/hr); and - Crusting behavior of pozzolanic IBA and IBAA

Emission	Sources	Potential pathways	Proposed controls
Noise			<ul style="list-style-type: none"> - Restricted speed limit (10 km/hr); - The facility hours of operation are restricted to 0700-1900 Monday to Saturday; - Mobile plant to be equipped with white noise type reversing alarms; and - Equipment utilised on the premises to meet modern noise control standards.
Sediment laden stormwater		Overland runoff and infiltration potentially causing ecosystem disturbance or impacting surface water quality	<ul style="list-style-type: none"> - Stormwater and run-off from dust control treated via multistage treatment system incorporating a wedge (catch) pit, 2 settling (sedimentation) pits, 2 above-ground 170 m3 storage tanks, a 150 m3 capacity HDPE lined detention pond and an unlined, vegetated infiltration basin; and - Strip drain at premises entrance.
Dust	Processing of IBA and IBAA	<p>Air/windborne pathway causing impacts to health and amenity.</p> <p>Prevailing wind directions are morning westerlies and afternoon east-south easterlies</p>	<ul style="list-style-type: none"> - Fixed and mobile water sprays (cannons); - Transfer points enclosed and equipped with point-source dust extraction systems with ventilation air ducted to reverse pulse filter systems; - Enclosed conveyors and screens; - All major items of processing equipment are enclosed in its own housing, including screens, crusher, trommel and ballistic separator; - Positive air ventilation system to the enclosed plant and covered conveyors with the collected ventilation air discharged through a high efficiency reverse pulse bag filtration system; and - Conveyor belts equipped with belt cleaners.
Noise			<ul style="list-style-type: none"> - Physical separation from nearest sensitive receptors; - The facility hours of operation are restricted to 0700-1900 Monday to Saturday; - Mobile plant to be equipped with white noise type reversing alarms; and - Equipment utilised on the premises to meet modern noise control standards.
Operation			

Emission	Sources	Potential pathways	Proposed controls
Dust	Delivery and handling, of IBA, recovered metals, waste residues and IBAA	Air/windborne pathway causing impacts to health and amenity. Prevailing wind directions are morning westerlies and afternoon east-south easterlies	<ul style="list-style-type: none"> - IBA dampened before transport to premises; - IBA transported to premises in enclosed vehicles, bulk loaders, or sheeted vehicles; - Fixed and mobile water sprays (cannons); - Concrete road construction; - Restricted speed limit (10 km/hr); - Crusting behavior of pozzolanic IBA and IBAA; and - Regular sweeping of yard.
Noise			<ul style="list-style-type: none"> - Physical separation; - Restricted speed limit (10 km/hr); - The facility hours of operation are restricted to 0700-1900 Monday to Saturday; - Mobile plant to be equipped with white noise type reversing alarms; - Utilization of modern equipment; and - Equipment maintenance.
Sediment laden stormwater		Overland runoff and infiltration potentially causing ecosystem disturbance or impacting surface water quality. Overland and groundwater flow direction in the area is inferred to be west.	<ul style="list-style-type: none"> - Stormwater and run-off from dust control treated via multistage treatment system incorporating a wedge (catch) pit, 2 settling (sedimentation) pits, 2 above-ground 170 m³ storage tanks, a 150 m³ capacity HDPE lined detention pond and an unlined, vegetated infiltration basin; and - Strip drain at premises entrance.
Dust	IBA and IBAA Stockpiles	Air/windborne pathway causing impacts to health and amenity. Prevailing wind directions are morning westerlies and afternoon east-south easterlies	<ul style="list-style-type: none"> - Fixed and mobile water sprays (cannons); - Crusting behavior of pozzolanic IBA and IBAA; - Bunker walls and wind shields; and - Stockpile volume limited to 2000 tonnes.

Emission	Sources	Potential pathways	Proposed controls
Dust	Processing of IBA and IBAA	Air/windborne pathway causing impacts to health and amenity. Prevailing wind directions are morning westerlies and afternoon east-south easterlies	<ul style="list-style-type: none"> - Fixed and mobile water sprays (cannons); - Transfer points enclosed and equipped with point-source dust extraction systems with ventilation air ducted to reverse pulse filter systems; - Enclosed conveyors and screens; - Conveyor belts equipped with belt cleaners; - Ventilated enclosures which incorporate dust extraction to fabric filters; - All major items of processing equipment are enclosed in its own housing, including screens, crusher, trommel and ballistic separator; and - Positive air ventilation system to the enclosed plant and covered conveyors with the collected ventilation air discharged through a high efficiency reverse pulse bag filtration system.
Noise			<ul style="list-style-type: none"> - Physical separation; - Utilization of modern equipment; and - Equipment maintenance.
Dust	Vehicle movements	Air/windborne pathway causing impacts to health and amenity. Prevailing wind directions are morning westerlies and afternoon east-south easterlies	<ul style="list-style-type: none"> - IBA transported to premises in enclosed vehicles, bulk loaders, or sheeted vehicles; - Fixed and mobile water sprays (cannons); - Concrete road construction; - Use of road-cleaning equipment and damping-down of trafficable areas; - Restricted speed limit (10 km/hr); and - Regular sweeping of yard.
Noise			<ul style="list-style-type: none"> - Physical separation; - Restricted speed limit (10 km/hr); - The facility hours of operation are restricted to 0700-1900 Monday to Saturday; and - Mobile plant to be equipped with white noise type reversing alarms.
Sediment laden stormwater		Overland runoff and infiltration potentially causing ecosystem disturbance or impacting surface water quality. Overland and groundwater flow direction in the area is inferred to be west.	<ul style="list-style-type: none"> - Rumble strips on exit road; - Stormwater and run-off from dust control treated via multistage treatment system incorporating a wedge (catch) pit, 2 settling (sedimentation) pits, 2 above-ground 170 m3 storage tanks, a 150 m3 capacity HDPE lined detention pond and an unlined, vegetated infiltration basin; and - Strip drain at premises entrance.

3.1.4 Receptors

In accordance with the *Guidance Statement: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the applicant'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 and Figure 1 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guidance Statement: Environmental Siting* (DER 2016)).

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

Human receptors	Receptor ID	Distance from prescribed activity
Neighbouring industrial & caretaker premises	H1	Abutting premises boundary and east of Armstrong Road
	H2	Approximately 300 m southwest of premises boundary
	H3	Approximately 620 m south of premises boundary
	H4	Approximately 1.2 km southeast of premises boundary
Medina residents, Medina Avenue, MEDINA	H5	Approximately 2.5 km southeast of premises boundary
Environmental receptors	Receptor ID	Distance from prescribed activity
Wetlands, Threatened fauna habitats and Threatened Ecological communities	E1	Approximately 25 m from premises boundary
	E2	Approximately 250 m west of premises boundary
	E3	Approximately 780 m east of premises boundary
	E4	Approximately 800 m northeast of premises boundary
	E5	Approximately 930 m east of premises boundary
	E6	Approximately 1 km northeast of premises boundary
	E7	Approximately 1 km northwest of premises boundary
Cockburn Sound	E8	Approximately 2 km west of premises boundary

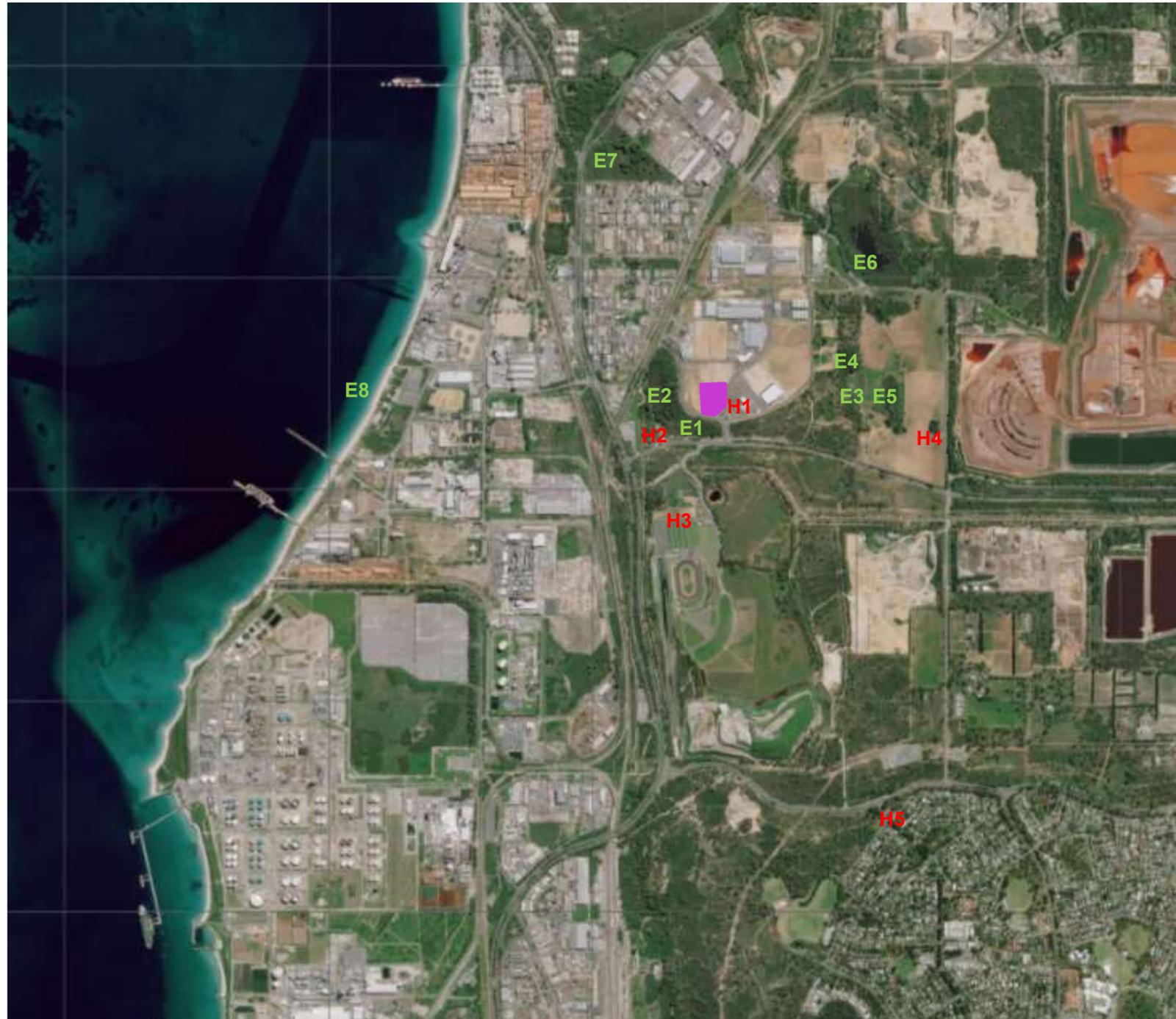


Figure 1: Location of sensitive receptors (premises boundary demarcated in pink).

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guidance Statement: Risk Assessments* (DER 2017) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant 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 applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Works Approval W6510/2021/1 that accompanies this Decision Report authorises construction and time-limited operations. The conditions in the issued Works Approval, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the Premises i.e. receipt and processing of IBA. A risk assessment for the operational phase has been included in this Decision Report, however licence conditions will not be finalised until the department assesses the licence application.

Table 3: Risk assessment of potential emissions and discharges from the Premises during construction, commissioning, and operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Construction								
Vehicle movements and excavation/construction activity	Dust	Air/windborne pathway causing impacts to health and amenity	Neighboring industrial & caretaker premises Medina residents	Refer to Section 3.1	C = Slight L = Possible Low Risk	Y	N/A	N/A
	Noise			Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	N/A
Commissioning								
Delivery, handling and processing of IBA	Dust	Air/windborne pathway causing impacts to health and amenity	Neighboring industrial & caretaker premises Medina residents	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	Y	Conditions 1 to 8, 14 to 17, 18, 19 , 20, 21, 22, 23, 24	See section 3.2.1
Delivery and handling of IBA	Noise	Air/windborne pathway causing impacts to health and amenity	Neighboring industrial & caretaker premises Medina residents	Refer to Section 3.1	C = Minor L = Possible Medium Risk	Y	Conditions 1 to 8	N/A
	Sediment laden stormwater	Overland runoff and infiltration potentially causing ecosystem disturbance or impacting surface water quality	Wetlands, Threatened fauna habitats, Threatened Ecological communities (E1 and E2)	Refer to Section 3.1	C = Slight L = Possible Low Risk	Y	Conditions 1 to 8 and 25 to 27	N/A
			Wetlands, Threatened fauna habitats, Threatened Ecological communities (E3 to E7), Cockburn Sound	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 1 to 8 and 25 to 27	N/A

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Operation (including time-limited-operations operations)								
Receipt, handling, unloading, stockpiling and processing of IBA and IBAA including vehicle movements	Dust	Air/windborne pathway causing impacts to health and amenity	Neighboring industrial & caretaker premises Medina residents	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	N	Conditions 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 , 20, 21, 22, 23, 24	See section 3.2.1
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Wetlands, Threatened fauna habitats, Threatened Ecological communities (E1 and E2)	Refer to Section 3.1	C = Slight L = Possible Low Risk	Y	Conditions 1, 2, 3, 9, 10, 11, 12, 13, 25, 26, 27	N/A
			Wetlands, Threatened fauna habitats, Threatened Ecological communities (E3 to E7), Cockburn Sound	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	Conditions 1, 2, 3, 9, 10, 11, 12, 13, 25, 26, 27	N/A
	Noise	Air/windborne pathway causing impacts to health and amenity	Neighboring industrial & caretaker premises Medina residents	Refer to Section 3.1	C = Minor L = Possible Medium Risk	N	Conditions 1, 2, 3, 9, 10, 11, 12, 13, 28, 29, 30, 31	The Delegated Officer considers that a Noise Assessment is required to validate that the actual sound power levels during full operations match those indicated in the application.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

3.2.1 Justification of additional regulatory controls for dust

The Delegated Officer notes that the information provided to characterise the IBA material is based on overseas data only. While this is likely to be representative of the IBA accepted at the facility there may be variances in the final waste to be accepted. Therefore, the Delegated Officer considers it necessary to undertake further analysis of the locally sourced IBA for characteristics including particle size distribution, organic compounds, metals, salts, dioxins and furans. These analytical results of local IBA can be used to review site dust management and requirements for ongoing monitoring.

Due to the uncertainties in the site-specific dust characteristics, The Delegated Officer considers that monitoring for the duration of time limited operations is necessary to ensure that dust emissions are appropriately characterised and managed. The methodology proposed by the Applicant is the UK based standard (Technical Guidance Note M17) however the Delegated Officer considers that in some instances the relevant Australian Standards for each monitoring parameter are more appropriate and will be reflected in the works approval conditions. Trigger values replicating the applicant's proposed controls have been implemented to ensure that in the event of excessive dust emissions actions are taken to mitigate these emissions at the Premises.

In addition to the monitoring proposed by the Applicant, The Delegated Officer considers on-site meteorology (wind speed and direction) will improve data collection and inform ongoing monitoring requirements at the Premises.

As IBA material will be processed during both commissioning and time limited operations, these controls will apply to both phases.

4. Consultation

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

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website (17/02/2021)	No comments	N/A
Local Government Authority (City of Kwinana) advised of proposal (17/02/2021)	No comments received, confirmed that development application is currently under assessment	Noted
DevelopmentWA advised of proposal (17/02/2021)	No comments	N/A
Applicant was provided with draft documents on 30 April 2021	Refer to Appendix 1	Refer to Appendix 1

5. Conclusion

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

References

1. Department of Environment Regulation (DER) 2016, *Guidance Statement: Environmental Siting*, Perth, Western Australia.
2. DER 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
3. DER 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.

Appendix 1: Summary of applicant's comments on risk assessment and draft conditions

Section/Condition	Summary of applicant's comment	Department's response
Location	Applicant confirmed title and street address	Noted.
Tables 1 and 3 and Figure 2	Incorrectly labelled figure was included in application, updated figure provided.	Noted and updated.
Condition 2	Draft condition 2 requires reporting following the construction of an item of infrastructure or equipment required by condition 1. The Applicant requests that a report is required after the entire facility is constructed and ready for commissioning.	The Delegated Officer considers this alteration achieves the same outcome and is accepted. Conditions 7 and 9 have also been updated to reflect relevant infrastructure that requires commissioning, and for time limited operations.
Terminology	Request that Hazardous Waste be changed to Incinerator Bottom Ash or IBA as hazardous waste is a broad term that may raise concern with members of the public.	The Delegated Officer considers that IBA meets the definition of Hazardous Waste in line with the <i>Landfill Waste Classification Waste Definitions 1996</i> , however given this will be the only waste type accepted at the facility it is acceptable to revise the description throughout the document.
Table 4	The draft trigger value is not considered practical and a different trigger value of 150-200 ug/m ³ (1-hour average) is requested.	The Delegated Officer considers that the requested trigger value of 200 ug/m ³ (1-hour average) is acceptable and within range of similar monitoring at other facilities. Monitoring undertaken during commissioning and time limited operations will inform ongoing monitoring requirements as part of a licence application.
Table 4	The draft document specified the use of beta attenuation dust monitors which the Applicant considers are cost prohibitive to purchase or hire. The Applicant has requested the use of light scattering type monitors (Dustrak or equivalent) instead.	<p>The Delegated Officer considers that for the purpose of dust monitoring at this facility, light scattering type monitors (Dustrak or equivalent) will provide a sufficient level of data to assess potential impacts from the facility. Monitoring undertaken during commissioning and time limited operations will inform ongoing monitoring requirements as part of a licence application.</p> <p>Dust monitors are added as a specified item of infrastructure in Condition 1 as this was overlooked in the draft documents.</p>

Section/Condition	Summary of applicant's comment	Department's response
Table 4	<p>The draft document specified that dust monitoring must occur for 5 days prior to commissioning, during all of commissioning (which may be up to 2 months) and during all of time limited operations (which may be up to an additional 6 months). The Applicant has requested that dust monitoring is limited to 3 months only subject to satisfactory results.</p>	<p>As discussed in the risk assessment, the Delegated Officer considers that due to the unique nature of the waste type and the limited comparable facilities in Western Australia, it is necessary to undertake dust impacts for the duration of operations under the works approval. Monitoring undertaken during commissioning and time limited operations will inform ongoing monitoring requirements as part of a licence application.</p>

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)		
Application type		
Works approval	<input checked="" type="checkbox"/>	
Date application received	19/01/2021	
Applicant and Premises details		
Applicant name/s (full legal name/s)	Blue Phoenix Western Australia Pty Ltd	
Premises name	N/A (Hope Valley IBA Facility)	
Premises location	Part of Lot Shown on Deposited Plan DP4051771049 Lot 1074 Investigator Drive, Hope Valley	
Local Government Authority	City of Kwinana	
Application documents		
HPCM file reference number:	DER2018/001042-4~87	
Key application documents (additional to application form):	<i>Combined Application form and supporting information</i>	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Works approval Construction of Hardstand, bulk material storage bunkers, stormwater drainage controls and process facility	
Category number/s (activities that cause the premises to become prescribed premises)		
Table: Prescribed premises categories		
Prescribed premises category and description	Proposed production or design capacity	Proposed changes to the production or design capacity (amendments-only)
<i>Category 62: Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.</i>	110, 000 tpa of IBA (incinerator bottom ash) <i>In practice production will be ramped up progressively from around 60,000 tpa in the first year of operation.</i> <i>In the first year nominally 60,000 tpa of IBA will be processed with this expected to increase to 90,000 tpa by year 2 of operation.</i>	
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 checked="" 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: EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>Certificate of title <input type="checkbox"/></p> <p>General lease <input type="checkbox"/> Expiry:</p> <p>Mining lease / tenement <input type="checkbox"/> Expiry:</p> <p>Other evidence <input type="checkbox"/> Expiry:</p> <p>Excerpt of contract of sale for purchase of Lot 1074 Investigator Drive, Hope Valley by Kwinana WTE Project Co Pty Ltd in its capacity as trustee of the Kwinana WTE Project Trust ("Avertas Energy").</p> <p>Avertas Energy. has executed an incinerator bottom ash ("IBA") Services' Agreement with Blue Phoenix Western Australia Pty Ltd ("Blue Phoenix"). The terms of IBA Services' Agreement stipulate that Avertas Energy will provide Blue Phoenix with access to Lot 1074 to allow it to carry out the relevant works, perform the services and perform its obligations under the IBA Services' Agreement</p>
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	<p>Approval:</p> <p>Expiry date:</p> <p>If N/A explain why?</p> <p>Situated within the Hope Valley Wattleup Redevelopment Area (Latitude 32) and is covered by the Flinders Precinct Structure Plan for the Latitude 32 Industry Zone. It is zoned 'General Industry' in the Structure Plan. As required by the Act a Master Plan (Hope Valley Wattleup Redevelopment Project Master Plan) was approved by the Western Australian Planning Commission (WAPC) in 2004, and functions in a manner similar to a town planning scheme. The current version of the Master Plan was amended in May 2020. The Master Plan provides the procedures for establishing statutory documents including structure plans, planning policies and design guidelines, along with the requirements for planning approvals in order to</p>

		control land use and development. All development within this area, requires Planning Approval under the Master Plan.
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"/>	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"/>	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"/>	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: Proclaimed Groundwater Area/Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Regional office: Kwinana Peel
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 <u>WQPN 25</u>)? 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>Hope Valley-Wattleup Redevelopment Act 2000</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 checked="" type="checkbox"/> No <input type="checkbox"/>	Alcoa Kwinana Alumina Refinery. Rockingham and Anketell Roads. Form 1 (Affected Site) Classification: Possibly contaminated - investigation required Date of classification: 20/02/2009