



Licence

Environmental Protection Act 1986, Part V

Licensee: Dampier Salt Limited

Licence: L7182/1997/11

Registered office: 37 Belmont Avenue
BELMONT WA 6104

ACN: 008 706 590

Premises address: Dampier Operations
ML253SA
Dampier Highway
DAMPIER WA 6713
As depicted in Schedule 1

Issue date: Thursday, 12 September 2013

Commencement date: Sunday, 22 September 2013

Expiry date: Friday, 21 September 2018

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
14	Solar salt manufacturing: premises on which salt is produced by solar evaporation.	Not applicable.	4 200 000 tonnes per annual period.
58A	Bulk material loading or unloading: premises on which salt is loaded onto or unloaded from vessels by an open materials loading system.	100 tonnes or more per day.	60 000 tonnes per day.

Conditions

Subject to this Licence and the conditions set out in the attached pages.

Date signed: 7 January 2016

.....
Danielle Eyre
Senior Manager – Industry Regulation (Resource Industries)
Officer delegated under section 20
of the *Environmental Protection Act 1986*



Contents

Introduction	2
Licence conditions	4
1 General	4
2 Emissions	6
3 Monitoring	7
4 Information	8
Schedule 1: Maps	10
Schedule 2: Reporting & notification forms	13

Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a Government Department for the State of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to protect and conserve the State's environment on behalf of the people of Western Australia.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the Act. Conditions contained with the licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link: <http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.



Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non-payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises. Operating without a licence is an offence under the Act.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for the Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Dampier Salt Limited (DSL) operate the Dampier Operations located on the north-west coast in the Pilbara region of Western Australia between the municipalities of Dampier and Karratha.

Salt production at the Dampier Operations begins with the pumping of seawater from the Hamersley Channel into the first concentration pond (Pond 0). Intake seawater is then either pumped or gravity-fed through successive ponds for progressive evaporation concentration. The point of sodium chloride saturation or the 'salting point' is achieved at the sixth concentration pond or Pond 4. At this stage, the original intake volume has been reduced by 89% and the majority of calcium carbonate (gypsum) has been precipitated. Approximately 65 tonnes of seawater is required to produce one tonne of salt. The current evaporative area at Dampier Operations is sufficient to produce 4.2 million tonnes of salt annually. Once saturated, the brine is pumped into crystallisers where further evaporation promotes sodium chloride (NaCl) crystallisation and deposition onto a pre-formed salt pavement. To prevent precipitation and accumulation of undesirable dissolved salts, deposition is halted when approximately 75% of NaCl has been precipitated. The residual brine called bitterns, contains high concentrations of potassium and magnesium chloride along with other salts and is a potential source of these minerals.

Each crystalliser is harvested annually. Salt is removed from the drained crystallisers by mechanical harvesters and fed into haul trucks comprising a prime mover and three bottom dump trailers.

To ensure a high purity NaCl product, the salt is washed immediately after harvesting to remove gypsum and other impurities. Trucks dump the freshly harvested salt into the wash plant hoppers. After washing, salt is conveyed to the product stockpiles at the DSL port facility on Mistaken Island and East Mid Intercourse Island. The salt is then reclaimed for ship loading by dozers and front-end loaders, which feed the salt to the ship loader conveyor system. Product may also be conveyed directly from the wash plant to the ship loader. A portion of the exported salt is treated with an anti-caking agent (YPS) as it is loaded onto the ship.

The bitterns is discharged on a continuous discharge regime into Nickol Bay and the gypsum that is recovered during the washing process or removed from ponds and channels is utilised for repairs to roads and levees or used to backfill borrow pits to facilitate rehabilitation works.

This Licence is an amendment to licence L7182/1997/11 to increase the premises production or design capacity and to remove a discharge point that has been converted to a containment pond. The licences and works approvals issued for the Premises since 30/09/2000 are:

Instrument log		
Instrument	Issued	Description
L7182/1997/4	30/09/2000	First licence noted in the Industry Licensing System.
L7182/1997/5	30/09/2001	Licence reissue.
L7182/1997/6	03/10/2002	Licence reissue.
L7182/1997/7	22/09/2003	Licence reissue.
L7182/1997/8	21/09/2004	Licence reissue.
L7182/1997/9	22/09/2006	Licence reissue.
L7182/1997/10	18/09/2008	Licence reissue.
L7182/1997/11	12/09/2013	Licence reissue and conversion to new format.
L7182/1997/11	07/01/2016	Licence amended.



Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION

Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

‘**Act**’ means the *Environmental Protection Act 1986*;

‘**annual period**’ means the inclusive period from 1 January until 31 December in that year;

‘**AS/NZS 5667.1**’ means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

‘**AS/NZS 5667.9**’ means the Australian Standard AS/NZS 5667.9 *Water Quality – Sampling – Guidance on sampling from marine waters*;

‘**AS/NZS 5667.10**’ means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

‘**averaging period**’ means the time over which a limit ~~or target~~ is measured or a monitoring result is obtained;

‘**BTEX**’ means benzene, toluene, ethyl benzene, xylene;

‘**CEO**’ means Chief Executive Officer of the Department of Environment Regulation;

‘**CEO**’ for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au

‘**EC**’ means Electrical Conductivity;

‘**HDPE**’ means High Density Polyethylene;

‘**Licence**’ means this Licence numbered L7182/1997/11 and issued under the *Environmental Protection Act 1986*;

‘**Licensee**’ means the person or organisation named as Licensee on page 1 of the Licence;



'**µg/L**' means micrograms per litre;

'**µS/cm**' means micro Siemens per centimetre;

'**NATA**' means the National Association of Testing Authorities, Australia;

'**NATA accredited**' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

'**Premises**' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'**Schedule 1**' means Schedule 1 of this Licence unless otherwise stated;

'**Schedule 2**' means Schedule 2 of this Licence unless otherwise stated;

'**spot sample**' means a discrete sample representative at the time and place at which the sample is taken;

'**TRH**' means total recoverable hydrocarbons; and

'**TSS**' means total suspended solids.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2 General conditions

1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.3 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note1: The *Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

1.3 Premises operation

1.3.1 The Licensee shall ensure that:

- (a) hydrocarbon contaminated soil remediation occurs in landform cells;
- (b) leachate from the landform cells and stormwater run-off that has come into contact with the soil shall be directed to a collection sump; and



- (c) the collection sump is capable of storing (as a minimum) run-off from a 1 in 10 year rainfall event.

- 1.3.2 The Licensee shall ensure that waste material is only stored and/or treated within vessels or compounds listed in Table 1.3.1 and identified on the map of containment infrastructure in Schedule 1, in accordance with the requirements specified within Table 1.3.1.

Table 1.3.1 Containment infrastructure		
Storage vessel or compound	Material	Requirements
Lined evaporation pond	Treated wastewater from oily water separator at maintenance workshop	<ul style="list-style-type: none">• HDPE liner; and• Minimum vertical freeboard of 200 mm

2 Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit in this section.

2.2 Point source emissions to surface water

- 2.2.1 The Licensee shall ensure that where waste is emitted to surface water from the emission points in Table 2.2.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this licence.

Table 2.2.1: Emission points to surface water			
Emission point reference and location on Map of emission points	Emission point reference on Map of emission points	Description	Source
W1	Bitterns discharge channel to Nickol Bay	Bitterns discharge channel	Bitterns
W2	Mistaken Island wash bay pond discharge to Mermaid Strait	Wastewater discharge points	Wastewater potentially contaminated with hydrocarbons
W3 (a,b,c,d)	Conveyor transfer discharge points to Mermaid Strait	Discharge of washdown water	Wastewater potentially contaminated with hydrocarbons

- 2.2.2 The Licensee shall not cause or allow point source emissions to surface water greater than the limits listed in Table 2. 2.2.

Table 2.2.2: Point source emission limits to surface water			
Emission point reference	Parameter	Limit (including units)	Averaging period
W2 and W3 (a,b,c,d)	TRH	15 mg/L	Spot sample
	BTEX	10 µg/L	

2.3 Emissions to land

- 2.3.1 The Licensee shall ensure that where waste is emitted to land from the emission points in Table 2.3.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this licence.



Table 2.3.1: Emission points to land

Emission point reference and location on Map of emission points	Emission point reference on Map of emission points	Description	Source including abatement
L2	Maintenance workshop drain	Discharge of wastewater to unlined evaporation ponds	Maintenance Workshops, Mobile equipment wash down bays and fuel farms
L3	Light vehicle fuel farm drain		
L4	Light vehicle/heavy vehicle drain		
L5	Truckwash evaporation pond		
L6	Heavy vehicle fuel farm drain		

2.3.2 The Licensee shall not cause or allow emissions to land greater than the limits listed in Table 2.3.2.

Table 2.3.2: Emission limits to land

Emission point reference	Parameter	Limit (including units)	Averaging period
L2 - L6	TRH	15 mg/L	Spot sample
	BTEX	10 µg/L	

3 Monitoring

3.1 General monitoring

3.1.1 The Licensee shall ensure that:

- all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- all wastewater sampling is conducted in accordance with AS/NZS 5667.10;
- all surface water sampling is conducted in accordance with AS/NZS 5667.9; and
- all laboratory samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.

3.1.2 The Licensee shall ensure that:

- monthly monitoring is undertaken at least 15 days apart;
- quarterly monitoring is undertaken at least 45 days apart; and
- six monthly monitoring is undertaken at least 5 months apart.

3.2 Monitoring of point source emissions to surface water

3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of point source emissions to surface water

Emission point reference	Parameter	Units	Frequency
W1	Volume	L/s m ³ /day	Monthly cumulative
	Chloride, sulphate, sodium, magnesium, potassium, Calcium, TSS, arsenic, beryllium, boron, cadmium, chromium, copper, fluoride, lead, mercury, nickel, Total nitrogen, Total phosphorus	mg/L	Six monthly
	Electrical conductivity	µS/cm	
	pH ¹	pH units	
W2, W3 (a,b,c,d)	TRH	mg/L	Quarterly
	BTEX	µg/L	

Note 1: In-field non-NATA accredited analysis permitted.



3.3 Monitoring of emissions to land

3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table.

Table 3.3.1: Monitoring of emissions to land			
Emission point reference	Parameter	Units	Frequency
L2 - L6	TRH	mg/L	Quarterly
	BTEX	µg/L	

4 Information

4.1 Records

3.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

3.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

3.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

3.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental-Report by the 30 April after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the annual period and any action taken	None specified
1.3.1	A log of the number of tyres disposed and the disposal locations	None specified
4.1.3	Compliance	Annual Audit Compliance Report (AACR)



4.1.4	Complaints summary	None specified
Table 2.2.2 and Table 2.3.2	Limit exceedances	None specified
Table 3.2.1	Volume, chloride, sulphate, sodium, magnesium, potassium, calcium, TSS, arsenic, beryllium, boron, cadmium, chromium, copper, fluoride, lead, mercury, nickel, Total nitrogen, Total phosphorus, EC, pH, TPH, BTEX	None specified
Table 3.3.1	TRH, BTEX	None specified
N/A	Contaminated sites investigation update including summary of any monitoring or work conducted during the reporting period.	None specified
N/A	Information pertaining to the Bitterns Management Plan and Mangrove Management and Monitoring Plan including bitterns monitoring data and mangrove monitoring data.	None specified

Note 1: Forms are in Schedule 2

4.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:

- an assessment of the information contained within the report against previous monitoring results and Licence limits; and
- a list of any original monitoring reports submitted to the Licensee from third parties for the annual period and make these reports available on request.

4.3 Notification

4.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements

Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ²
2.1.1	Breach of any limit specified in the Licence.	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1

Note 1: Notification requirements in the licence shall not negate the requirement to comply with s72 of the Act

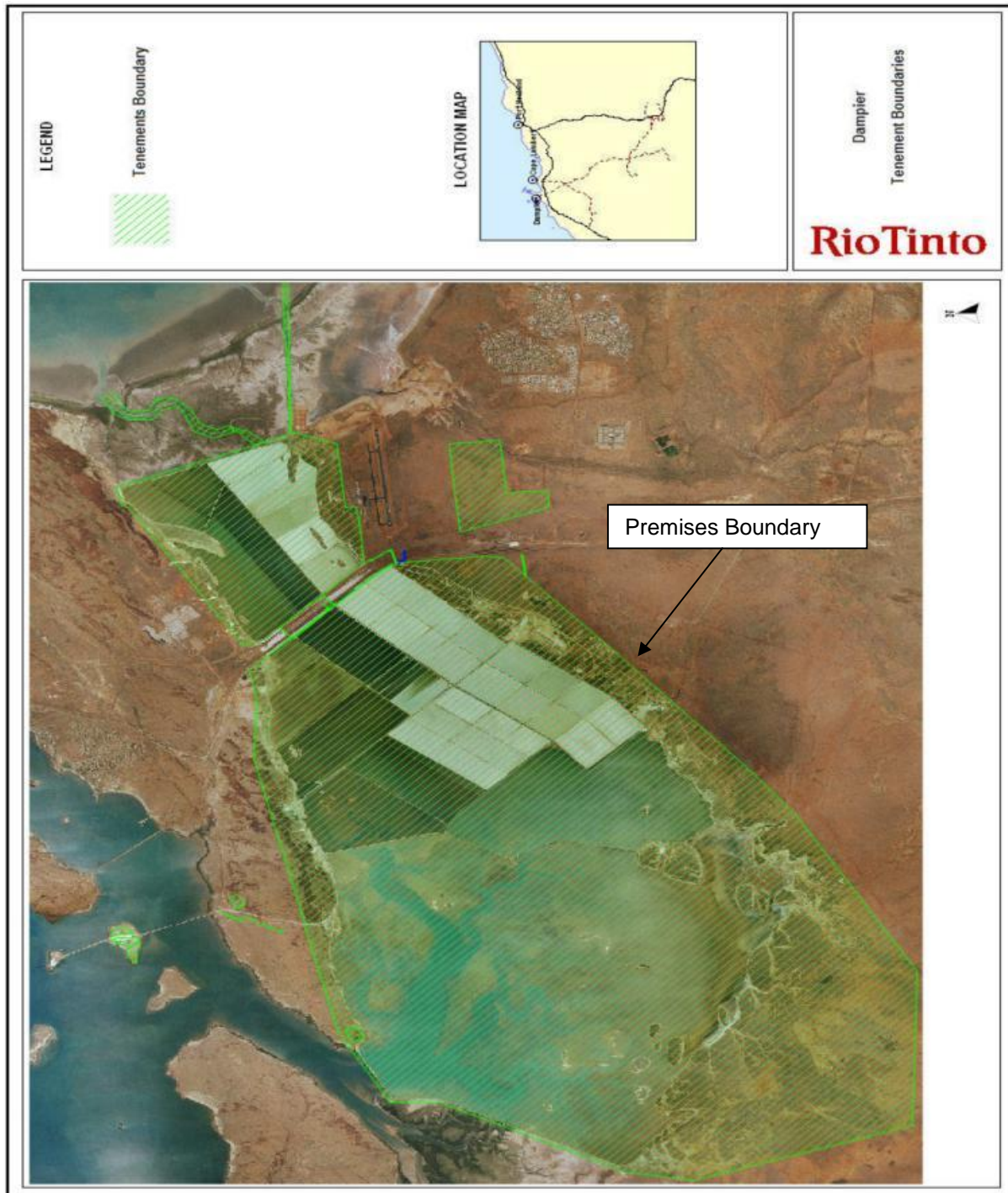
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

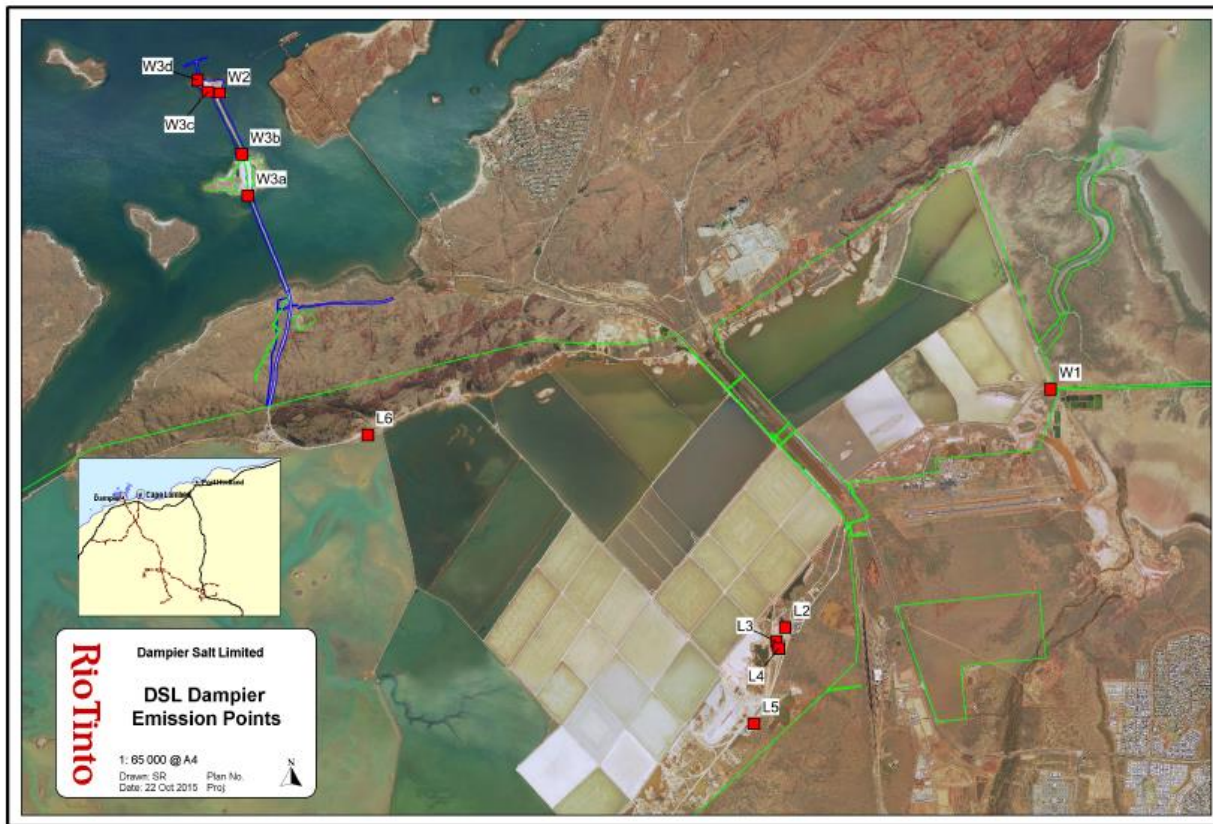
The Premises is shown in the map below. The outline of the green shaded area depicts the Premises boundary.





Map of emission points

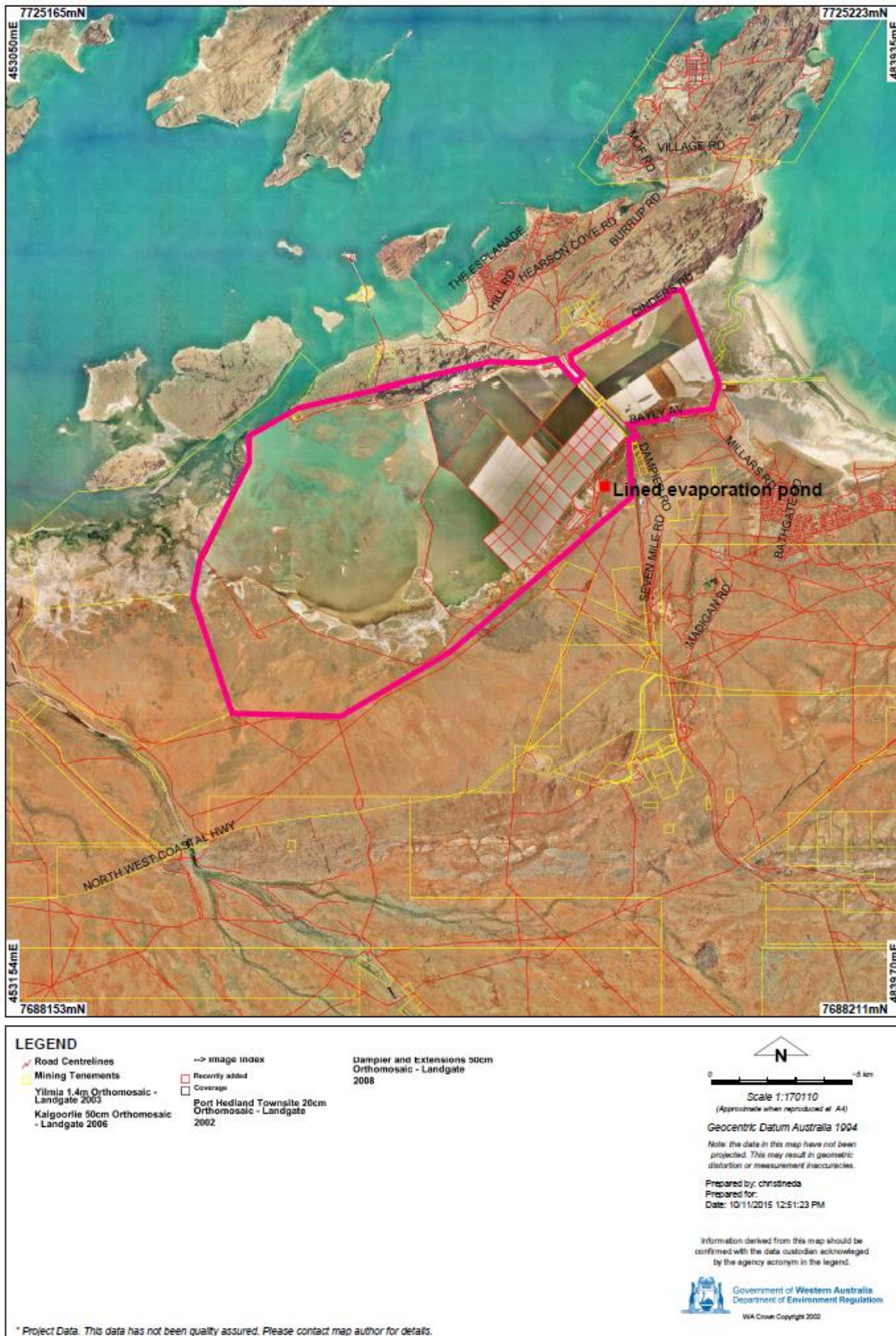
The locations of the emission points defined in Tables 2.3.1 and 2.5.1 are shown below.





Map of containment infrastructure

The locations of the containment infrastructure defined in Table 1.3.1 is shown below.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) must only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L7182/1997/11
Form: N1

Licensee: Dampier Salt Limited
Date of breach:

Notification of the detection of the breach of a limit

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit

Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Dampier Salt Limited	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Dampier Salt Limited

Licence: L7182/1997/11

Registered office: 37 Belmont Avenue
BELMONT WA 6104

ACN: 008 706 590

Premises address: Dampier Operations
ML253SA
Dampier Highway
DAMPIER WA 6713

Issue date: Thursday, 12 September 2013

Commencement date: Sunday, 22 September 2013

Expiry date: Friday, 21 September 2018

Decision:

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Christine Pustkuchen
Licensing Officer

Decision Document authorised by: Danielle Eyre
Delegated Officer



Contents

1	Purpose of this Document	2
2	Administrative summary	2
3	Executive summary of proposal and assessment	3
4	Decision table	4
5	Advertisement and consultation table	9
6	Risk Assessment	10

1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	14 – Solar salt manufacturing	4 200 000 tonnes per annual period.
	58A – Bulk material loading or unloading.	60 000 tonnes per day
Application verified	Date: 22/09/2015	
Application fee paid	Date: N/A.	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome	N/A.	
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No: 116



		EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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"/>		

3 Executive summary of proposal and assessment

Dampier Salt Limited (DSL) operates the Dampier Operations located on the north-west coast in the Pilbara region of Western Australia between the municipalities of Dampier and Karratha.

Salt production at the Dampier Operations involves pumping seawater from the Hamersley channel into concentration ponds where water is evaporated and sodium chloride (salt) is concentrated. Salt crystals are harvested annually by mechanical harvesters and fed into haul trucks where it is taken and washed at a wash plant to remove gypsum and impurities. After washing, salt is conveyed to product stockpiles at the DSL port facility on Mistaken Island and East Mid Intercourse Island. Salt is then loaded onto a conveyor system and loaded onto ships. Product may also be conveyed directly from the wash plant to the ship loader. Bitterns are produced as part of the salt production process and this is discharged on a continuous discharge regime into Nickol Bay.

This Decision Document assesses an amendment request made by the Licensee. The following forms the basis of this assessment:

- Removal of land emission point L1 – Unlined evaporation pond which receives wastewater from oily water separator located at the sites maintenance workshop;
- Change to the date by which the licensee is required to submit to the CEO an Annual Environmental Report (condition 5.2.1);
- Increase in premises approved production or design capacity for category 58A – Bulk material loading or unloading (salt); and
- Addition of Category 63 – Inert landfill to licence, for the burial of tyres onsite.

Where conditions have been added or removed in the existing Licence these have been justified in Section 4.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.1 – 1.2.3	Generic changes have been made to the General Conditions as part of DER reform and updates to licence templates. These changes include removing conditions referencing the Code of Practice for the Storage and handling of dangerous goods and referring to environmentally hazardous materials. No other changes have been applied to this section.	N/A.
Premises operation	L1.3.1 – 1.3.2	<p>As part of this amendment the premises approved design capacity has been increased from 40 000 tonnes per day to 60 000 tonnes per day for category 58A. DSL has stated within their amendment application, that the capacity figure for category 58A is a nominal design capacity and not the maximum design capacity and so have requested that the approved capacity is increased to the actual maximum to avoid a possible breach of licence.</p> <p>DSL has stated that historical data indicates that the current approved capacity of 40,000 tonnes per day could be exceeded under certain conditions when loading delays are minimised. The actual design capacity of the equipment (ship loader and conveyor) is rated at 3,000tph (daily capacity of 72,000 tonnes), however in practice this daily capacity could not be realised as there are inherent delays during the warping of the ships to access different holds. Analysis of historical shipping data indicates that the best estimate of a 'maximum' load rate from the current facilities would be 60,000 tonnes per day. No works are required and no increase in emissions is expected to occur. No additional conditions relating to this increase are required to be added to the licence.</p> <p>Condition 1.3.1 from the existing licence (<i>The-Licensee shall dispose of tyres produced as a result of the solar salt operations at the Premises in accordance with the Dampier Salt Limited 'Tyre Disposal Procedure' (DSL reference JA-PRO-834))</i> has been deleted</p>	N/A.



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>as the amount of tyres disposed (buried) onsite is minimal (less than 500 tonnes) and therefore does not trigger Category 63 (inert landfill). As tyre disposal is a secondary activity that does not contribute to the nature and type of emissions from the premises it does not require regulating in accordance with DERs Guidance Statement – Licensing and works approvals process (September 2015).</p> <p>Condition 1.3.2 has been added to the licence. Discharge point L1 from the current licence has been removed from the licence as the pond into which the discharge was being released is now HDPE lined. This pond is now considered containment infrastructure and condition 1.3.2 has been added to reflect this change. See discharges to land section.</p>	
Emissions general	L2.1.1	Emissions general conditions have been updated to remove reference to targets as these do not specify an outcome.	N/A.
Point source emissions to air including monitoring	L – no conditions	No conditions relating to point source emissions to air are included in this Licence.	N/A.
Point source emissions to surface water including monitoring	L2.2.1 – 2.2.2	No changes are required to the point source emissions to surface water conditions.	N/A.
Point source emissions to groundwater including monitoring	L – no conditions	No conditions relating to point source emissions to groundwater are included in this Licence.	N/A.
Emissions to land including monitoring	L2.3.1-2.3.2 and L3.3.1	<p><u>Emission Description</u> <i>Emission:</i> Discharge to land of hydrocarbon contaminated wastewater from oily water separator maintenance workshop to an unlined evaporation pond (emission point L1 on current licence). <i>Impact:</i> Contamination of soil and groundwater resulting in damage to flora and</p>	Application supporting documents.



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>possibly fauna.</p> <p><i>Controls:</i></p> <ul style="list-style-type: none">• Evaporation pond has been lined with a 2mm welded HDPE liner with geofabric underlay to prevent discharge to land;• The pond has been designed at a much greater capacity then what will be required to ensure overtopping will not occur under normal operations;• During extreme weather conditions (i.e. cyclone) some overflow may occur. There is an overflow point into an adjacent unlined pond located 1.2m below the top of the lined pond; and• In the event of overflow the discharge point has a 'T' piece to ensure water is drawn from the bottom of the pond reducing the likelihood that any hydrocarbons floating on the surface is discharged into the adjacent overflow pond. <p>DSL has been having on-going issues with meeting the discharge limit for TPH (15mg/L) for emission point L1 in table 2.5.1 of their current licence. This has been the result of performance and maintenance issues with the oily water separator that is installed at this location. To address this DSL have installed a HDPE liner to prevent this discharge to land. The seams have been pressure tested to ensure integrity of the welds and to ensure no discharge to land occurs.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Discharge point L1 has been removed from the licence as part of this amendment. Condition 1.3.3 has been added to the licence to indicate that the evaporation pond at discharge point L1 is no longer considered a discharge to land and is now part of the site's waste containment infrastructure. This condition also ensures that the lined</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>evaporation pond is managed so that a minimum freeboard of 200mm is maintained at all times. Emission points to land L2- L6 discharge to other unlined evaporation ponds on site. No changes have been made to these emission points.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p>	
Fugitive emissions	L – no conditions	<p><u>Emission Description</u> <i>Emission:</i> Dust generated by heavy vehicle movement on haul roads and stockpile area. The main source of dust is from heavy vehicles operating on haul roads, including the stockpile area which is managed by watering with brine on a regular basis <i>Impact:</i> Dust coating vegetation causing vegetation death and health impacts on nearby sensitive receptors. <i>Controls:</i> Minimal dust is produced as a result of salt production. Spraying with brine solution creates a hard seal on the surface to enhance dust suppression. Salt stockpiles do not generate dust.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Condition 2.6.1 has been removed from the licence as the environmental/health risk of dust emissions associated with the premises is low. General provisions of the <i>Environmental Protection Act 1986</i> and the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> apply.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Insignificant</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i>.</p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>.</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<i>Likelihood: Rare</i> <i>Risk Rating: Low</i>	
Odour	L – no conditions	No conditions relating to odour emissions are included in this Licence.	N/A.
Noise	L – no conditions	DSL are required to comply with the <i>Environmental Protection (Noise) Regulations 1997</i> . No additional conditions are required to be added to this Licence.	<i>Environmental Protection (Noise) Regulations 1997</i>
Monitoring general	L3.1.1 – 3.1.2	No changes have been made to the general monitoring conditions.	N/A.
Monitoring of inputs and outputs	L – no conditions	No conditions relating to monitoring of inputs and outputs are included in this Licence.	N/A.
Process monitoring	L – no conditions	No conditions relating to process monitoring are included in the Licence.	N/A.
Ambient quality monitoring	L – no conditions	No conditions relating to ambient environmental quality monitoring are included in this Licence.	N/A.
Meteorological monitoring	L – no conditions	No conditions relating to meteorological monitoring are included in this Licence.	N/A.
Improvements	L – no conditions	No improvement conditions are required to be added to the licence.	N/A.
Information	L4.1.1-4.3.1	As part of this amendment the reporting date for the submission of the Annual Environmental Report has been changed from 28 th February to 30 th April. In the past DSL has been unable to provide all the information (in particular information pertaining to the Bitterns Management Plan and Mangrove Management and Monitoring Plan) as there was not enough time to obtain the required information from external consultants by the due date (as collection of the data is not finished until the end of November). This change should allow DSL enough time to collate and provide all required information for the Annual Environmental Report. Generic changes have also been made to the Information conditions as part of DER reform and updates to licence templates. These changes include removing a condition	N/A.



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		requiring the licensee to notify DER in the event of any failure or malfunction of pollution control equipment or any incident. This is already covered by s72 of the EP Act. No other changes have been applied to this section.	
Licence Duration	N/A.	No change has been made to the Licence duration during this amendment.	N/A.

5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
03/12/2015	Proponent sent a copy of draft instrument	No comments.	Not applicable.



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High