



# Licence

## *Environmental Protection Act 1986, Part V*

**Licensee:** Australian Mud Company Pty Ltd

**Licence:** L7458/2000/9

**Registered office:** 216 Balcatta Road  
 BALCATTWA WA 6021

**ACN:** 009 283 416

**Premises address:** Australian Mud Company Pty Ltd  
 6 Rollings Crescent  
 KWINANA BEACH WA 6167  
 Being Lot 26 on Plan 9796 as depicted in Schedule 1.

**Issue date:** Friday, 12 September 2014

**Commencement date:** Monday, 15 September 2014

**Expiry date:** Monday, 14 September 2026

**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
31	Chemical manufacturing: premises (other than premises within category 32) on which chemical products are manufactured by a chemical process.	100 tonnes or more per year	2000 tonnes per annual period

**Conditions**

This Licence is subject to the conditions set out in the attached pages.

Date signed: 31 May 2016

.....  
 Jonathan Bailes  
 Manager Licensing (Process Industries)  
 Officer delegated under section 20  
 of the *Environmental Protection Act 1986*



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## 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 advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

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 monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

### **Licence requirements**

This Licence is issued under Part V of the Act. Conditions contained within 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.

### Ministerial conditions

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

### Premises description and Licence summary

Australian Mud Company Pty Ltd is a chemical manufacturer located in Kwinana Beach south of Perth. The site is located within an industrial area in the City of Kwinana. The nearest sensitive receptor is located approximately 1.8 km east of the site.

Australian Mud Company manufactures products for the drilling industry that can be broken down into three categories:

1. Manufacture of water soluble polymers.  
Manufacture of water-soluble polymers is carried out by polymerising in heated reactor vessel the monomers of acrylamide and acrylic acid in an oil/water emulsion to produce a partially hydrolysed polyacrylamide/polyacrylate copolymer. There are no by-products produced. After production, the tanks are washed out with water and wash water is collected in IBCs and taken off site by a licensed controlled waste contractor.
2. Manufacture of drilling foams, surfactants and detergents.  
Manufactured by blending and heating raw materials in the reactor vessel.
3. Manufacture of vegetable oil based lubricants and cutting oils.  
Manufactured by blending raw materials in a reactor vessel. Glycerine is a by-product that is recovered and sold for the production of biodegradable lubricants. The foam surfactants production process requires 200 to 300 litres of water to clean the mixing vessels which is then captured through pipe work from the production vessel and stored in a dedicated container prior to being pumped back to the production vessel. The recycled water is then re-used in the production process to obtain a 50% dilution factor to produce the finished product.

All tanks that are used to store environmentally hazardous material are fitted with level indicators and alarms and are located within bunded areas to contain any spillages and prevent the contamination of stormwater.

The licences and works approvals issued for the Premises are:

Instrument log		
Instrument	Issued	Description
L7458/2000/1	26/09/2000	Licence reissue
L7458/2000/2	15/08/2001	Licence reissue
L7458/2000/3	04/09/2002	Licence reissue
L7458/2000/4	27/09/2002	Licence reissue
L7458/2000/5	02/09/2003	Licence reissue
L7458/2000/6	30/09/2003	Licence reissue
L7458/2000/7	02/09/2004	Licence reissue
L7458/2000/8	17/09/2009	Licence reissue
L7458/2000/9	12/09/2014	Licence reissue and amendment to new format licence
L7458/2000/9	15/12/2014	Licence amendment
L7458/2000/9	12/05/2016	Transfer of licence and amendment



## 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 September until 31 August in the following year;

'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;

'hardstand' means a surface with a permeability of  $10^{-9}$  metres/second or less;

'Licence' means this Licence numbered L7458/2000/9 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'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;

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.

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.<sup>1</sup>

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 not leave the premises unattended for any part of chemical manufacturing processes that has been initiated that requires heating and/or involves exothermic reactions. A competent person shall be in attendance at the premises so long as any such chemical manufacturing process is taking place.
- 1.3.2 The licensee shall undertake the transfer of product from production vessels to final containers within a hardstand and bunded area.

# 2 Information

## 2.1 Records

- 2.1.1 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 2.1.1(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.
- 2.1.2 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.
- 2.1.3 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.



2.1.4 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.

## 2.2 Reporting

2.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 30 calendar days after the end of the annual period. The report shall contain the information listed in Table 2.2.1 in the format or form specified in that table.

<b>Condition or table (if relevant)</b>	<b>Parameter</b>	<b>Format or form<sup>1</sup></b>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
-	Annual throughput in tonnes per annual period	None specified
2.1.3	Compliance	Annual Audit Compliance Report (AACR)
2.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2



## Schedule 1: Maps

### Premises map

The Premises is shown on the map below. The pink line depicts the Premises boundary.





## 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:	ABN:
Trading as:	
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 C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may 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)