



Government of **Western Australia**
Department of **Environment Regulation**

Your ref L4315/1984/11
Our ref DEC10500
Enquiries Tim Moore
Phone 9333 7533
Fax 9333 7550
Email tim.moore@der.wa.gov.au

Mr. David Howarth
SHEC Manager
Sims Group Australia Holdings Limited
PO Box 1137
BIBRA LAKE WA 6163

Dear Mr. Howarth

ENVIRONMENTAL PROTECTION ACT 1986: LICENCE GRANTED

Premises

Simsmetal Limited
Lots 39 and 40 on Plan 3699 Barrington Street,
Bibra Lake, WA, 6163

Licence Number: 4315/1984/11

A licence under the *Environmental Protection Act 1986* (the Act) has been granted for the above premises. The Department of Environment Regulation will advertise the issuing of this licence in the public notices section of *The West Australian* newspaper.

The licence includes attached conditions. Under section 58(1) of the Act, it is an offence to contravene a condition of a licence. This offence carries a penalty of up to \$125,000 and a daily penalty of up to \$25,000. In accordance with section 102(1)(c) of the Act, you have 21 days to appeal the conditions of the licence. Under section 102(3)(a) of the Act, any other person may also appeal the conditions of the licence. To lodge an appeal, contact the Office of the Appeals Convenor on 6467 5190 or by email at admin@appealsconvenor.wa.gov.au.

Where a licence is issued for more than one year it requires payment of an annual fee and will cease to have effect if the fee is unpaid. It is the occupier's responsibility to lodge a fee application and pay the annual fee in sufficient time to avoid incurring a late payment fee and for processing to be completed before the licence anniversary date.

If you have any queries regarding the above information, please contact Tim Moore at the Swan Region on 9333 7533.

Yours sincerely

Mark Whiteley
Officer delegated under section 20
of the *Environmental Protection Act 1986*

Thursday, 12 September 2013

Swan Region
181-205 Davy Street, Booragoon WA 6154
Ph: (08) 9333 7510 Fax (08) 9333 7550
Postal Address: Locked Bag 33, Cloisters Square, Perth
WA 6850
www.der.wa.gov.au

WESTERN AUSTRALIA
DEPARTMENT OF ENVIRONMENT REGULATION

Environmental Protection Act 1986

LICENCE

LICENCE NUMBER: L4315/1984/11

FILE NUMBER: DEC10500

NAME OF OCCUPIER:

Sims Group Australia Holdings Limited
ACN: 008 634 526

ADDRESS OF OCCUPIER:

Sir Joseph Banks Corporate Park
Level 2
32-34 Lord Street
BOTANY NSW 2019

NAME AND LOCATION OF PREMISES:

Simsmetal Limited
Lots 39 and 40 on Plan 3699 Barrington Street
BIBRA LAKE WA 6163
(as depicted in attachment 1)

Environmental Protection Regulations 1987

CLASSIFICATION(S) OF PREMISES:

Category 47 – Scrap metal recovery

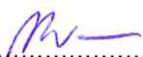
COMMENCEMENT DATE OF LICENCE: Thursday, 3 October 2013

EXPIRY DATE OF LICENCE: Tuesday, 2 October 2018

CONDITIONS OF LICENCE:

As described and attached:

DEFINITIONS: 15
GENERAL CONDITIONS: 4
AIR POLLUTION CONTROL CONDITIONS: 10
WATER POLLUTION CONTROL CONDITIONS: 8
NOISE POLLUTION CONTROL CONDITIONS: 14
ATTACHMENTS: 2


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Officer delegated under Section 20
of the *Environmental Protection Act 1986*

Date of Issue: Thursday, 12 September 2013

WESTERN AUSTRALIA
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DEFINITIONS

In these conditions of licence, unless inconsistent with the text or subject matter:

"Airblast" means a noise resulting from an explosion within the shredder;

"AS or Australian Standard" means the most recent version (unless otherwise stated) of the specified Australian Standard published by Standards Australia International Ltd. Sydney;

"AS 1259.1-1990" means the Australian Standard *Acoustics - Sound level meters - Non-integrating*;

"dB" means decibels;

"Director" means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under section 20 of the *Environmental Protection Act 1986*;

"Director" for the purpose of correspondence means;
Regional Leader, Industry Regulation, Swan Region
Department of Environment Regulation
Locked Bag 33
CLOISTERS SQUARE PERTH WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550

"Hz" means hertz;

"L_{Linear peak}" means the maximum reading in decibels (dB) obtained using the "P" time-weighting characteristic as specified in AS 1259.1-1990 with all frequency-weighting networks inoperative and with sound level measuring equipment that complies with the requirements of Schedule 4 of the *Environmental Protection (Noise) Regulations 1997*;

"L_{A Max slow}" means the maximum reading in decibels (dB) obtained using the "A" frequency-weighting characteristic and the "S" time-weighting characteristic as specified in AS 1259.1-1990 with sound level measuring equipment that complies with the requirements of Schedule 4 *Environmental Protection (Noise) Regulations 1997*;

"L_{A peak}" means the maximum reading in decibels (dB) obtained using the "A" frequency-weighting characteristic and "P" time-weighting characteristic as specified in AS 1259.1-1990 with sound level measuring equipment that complies with the requirements of Schedule 4 *Environmental Protection (Noise) Regulations 1997*;

"LPG" means liquid petroleum gas;

"mg/L" means milligrams per litre;

"pH" means the value of the negative logarithm of the hydrogen ion concentration;

"NATA" means the National Association of Testing Authorities, Australia; and

"Regulations" means the *Environmental Protection (Noise) Regulations 1997*.

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All other terms take their meaning from the *Environmental Protection Act 1986*.

GENERAL CONDITIONS

REPORTING REQUIREMENTS

- G1 The Licensee shall provide to the Director by **1 August each year**, an annual monitoring report pursuant to:
- (i) Condition W4(a) for ground and surface water monitoring;
 - (ii) Condition N2(b) for the summary of reports submitted. The summary should include the date and the cause of the incident and the information required by condition N4(b)(ii); and
 - (iii) Condition G3 for complaint recording.

The report shall contain data collected from 1 July to 30 June

- G2 The licensee shall by **1 August in each year**, provide to the Director an Annual Audit Compliance Report in the form in Attachment 2 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the Premises, during the period beginning 1 July the previous year and ending on 30 June in that year.

COMPLAINTS

- G3 The Licensee shall keep a record of all complaints received at the premises concerning the environmental impact of the premises. The record must be dated and provide the following:
- (i) the date and time of the complaint;
 - (ii) the method by which the complaint was lodged;
 - (iii) personal details (if any) provided by the complainant;
 - (iv) the nature of the complaint; and
 - (v) the action taken by the Licensee in relation to the complaint, including follow-up action.

This record shall be available for viewing or copying during any inspection of the Premises.

DOCUMENTATION OF PRE OPERATIONAL INSPECTION

- G4 The Licensee shall, prior to starting the shredder, ensure that the shredder operator completes a pre-operational check of the plant to test or confirm that:
- (i) all guards and safety devices installed for arresting ejected metal are in place and in good order; and
 - (ii) dust suppression water supply is connected and that the system is fully operational.

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A summation of the inspection shall be noted on the day sheet and signed by the responsible operator. The day sheet log containing all such inspections shall be maintained for at least 3 years.

AIR POLLUTION CONTROL CONDITIONS

DUST CONTROL - WATER SPRINKLERS

- A1 The Licensee shall maintain and operate water sprinkler systems in a manner that minimises dust lift off from any part of the operation.

TRAFFICKED AREAS - DUST GENERATION CONTROL

- A2(a) The Licensee shall employ a dust sweeper as required, on all sealed areas of the plant to prevent visible dust crossing the Premises boundary.
- A2(b) The Licensee shall treat and maintain all trafficked areas with water as required to minimise the generation of airborne dust.
- A2(c) The Licensee shall conduct all truck cleaning in a specified area at which suitable means for collecting dust and other waste material is provided. Truck tray cleaning should be conducted such as to minimise generation of dust.

THE METAL SHREDDING PLANT

- A3 The Licensee shall use a water spray on the metal shredding plant sufficient to prevent the generation of visible dust from the plant. The shredder shall not be operated unless the water spray has been found to be operating in a manner so as to meet this condition.

FLOC RECOVERY

- A4(a) The Licensee shall operate a closed circuit cyclone for recovery of floc from the shredder.
- A4(b) The Licensee shall ensure that floc discharged from the cyclone is kept in a damp condition to prevent dust or floc lift off from floc recovery operations.

NO RECOVERY OF SCRAP METAL BY BURNING

- A5 The Licensee shall not recover metal from scrap by any burning of insulation, motor windings, or casings.

FLAME CUTTING OF SCRAP METAL

- A6(a) The Licensee shall remove rubber lining and surface/sub surface treatments from scrap metal, or employ a water spray to prevent burning, prior to flame cutting.
- A6(b) The Licensee shall immediately extinguish any fire on the Premises resulting from flame cutting operations.

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WATER POLLUTION CONTROL CONDITIONS

- DISPOSAL OF WATER RUNOFF**
- W1 The Licensee shall drain the Premises such that all storm waters are directed through an oil/water separator to the on-site soakage pit.
- DRUM RESIDUES**
- W2 The Licensee shall collect all residue from all drums in a fully sealed tank of adequate capacity, and dispose of to a licensed premises.
- LEAD ACID BATTERIES**
- W3(a) The Licensee shall store all lead acid batteries on a hardstand area graded to a recoverable sump.
- W3(b) The Licensee shall construct the hardstand area, required by part (a) of this condition, of impervious, acid-resistant material to prevent the penetration of chemicals to groundwater, and to facilitate the recovery of any spillage.
- W3(c) The Licensee shall neutralise any spilt acid residue with lime or other suitable neutralising agent prior to disposal to a licensed premises.
- GROUNDWATER MONITORING**
- W4(a) The Licensee shall sample surface and groundwater at the monitoring sites listed in column 1 of Table 1, at the frequencies stated in column 2 of Table 1, and have them analysed for the parameters listed in column 3 of Table 1.

Table 1 Water Monitoring

Monitoring Sites	Sampling Frequency	Parameters to be measured
Soakage Pit	Quarterly (July, Oct, Jan and April)	total petroleum hydrocarbons; aluminium; copper; cadmium; lead; zinc; and chromium (mg/l) and pH
Downstream monitoring bore	Quarterly (July, Oct, Jan and April)	total petroleum hydrocarbons; aluminium; copper; cadmium; lead; zinc; and chromium (mg/l) and pH

- W4(b) The Licensee shall collect all water samples in accordance with the relevant parts of Australian Standard 5667.1, 1998.
- W4(c) The Licensee shall submit all water samples to a laboratory with current NATA accreditation for the analyses specified.

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AIRBLAST AND VIBRATION CONTROLS

PREVENTION OF AIRBLASTS

- N1(a) The Licensee shall take all reasonable and practicable measures not to accept scrap metal that includes any of the following non-conforming/dangerous goods
- (i) LPG, oxygen, acetylene or any other compressed gas cylinders;
 - (ii) chemical, hazardous, flammable or explosive substances;
 - (iii) any closed or sealed containers;
 - (iv) drums that have not been neutralised and certified as clean with tops removed;
 - (v) radioactive material; and
 - (vi) PCB's.
- N1(b) The Licensee shall maintain signs at the weighbridge that list the non-conforming/dangerous goods that are not to be brought on-site.
- N1(c) The Licensee shall inspect all material at receipt for non-conforming/dangerous goods.
- N1(d) The Licensee shall have a documented corrective action procedure in place to identify and contact the supplier of any non-conforming/dangerous goods. A record of all incidents of supply of non-conforming/dangerous goods is to be maintained for at least 3 years.
- N1(e) The Licensee shall inspect materials just prior to compaction or shredding to ensure non-conforming/dangerous goods are not processed in the shredder.
- N1(f) The Licensee shall ensure that any fuel tank to be processed in the shredder is punctured and must ensure that the contents are drained and are satisfactorily contained.
- N1(g) The Licensee shall remove LPG cylinders from vehicles, campervans, mobile homes, caravans and the like before shredding.

REPORTING OF AIRBLASTS

- N2(a) The Licensee shall report by facsimile the occurrence of any Airblast that occurs on the premises, to the Director, within 60 minutes of the occurrence.
- N2(b) Following any Airblast that occurs on the Premises, the Licensee shall provide a written report, by facsimile to the Director, by close of business within five working days of the explosion. The report shall address the following:
- the time and date of the incident;
 - the cause of the explosion (if known);
 - the type of scrap being processed;
 - the name of the supplier of the material (if known);
 - details of preventative actions initiated by the company;
 - any recommendations arising from the investigation;
 - deadlines and responsibilities for any action items arising from the investigation; and
 - the records required by condition N4(b)(iii).

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MONITORING OF AIRBLASTS

- N3(a) The Licensee shall operate, on the boundary of the Premises sound level measuring instruments having the ability to simultaneously measure $L_{A \text{ Max Slow}}$, $L_{A \text{ peak}}$, $L_{\text{Linear peak}}$, as defined in the Regulations. The measuring instruments shall be maintained and operated in accordance with the manufactures instructions and operate whenever the shredder is in operation.
- N3(b) The Licensee shall ensure that the sound level measuring instruments required by part (a) of this condition to have the following performance characteristics:
Overall performance: Meets Clause 2 of Schedule 4 of the Regulations;
Maximum peak level: > 140 dB;
Frequency response: Unweighted response < $\pm 3\text{dB}$ between 10 Hz and 500Hz; and
Data acquisition: Storage capability of at least 1 day's data at 1-minute intervals.

MONITORING AND REPORTING PROCEDURE

- N4(a) The Licensee shall:
- (i) Calibrate the sound level measuring instrument required by condition N3(a) in accordance with Clause 3 of Schedule 4 of the Regulations;
 - (ii) Conduct field calibration checks prior to and after a measurement period in accordance with Clause 4 of Schedule 4 of the Regulations;
 - (iii) Position the sound level measuring instrument microphone(s) at a representative location;
 - (iv) Install the sound level measuring instruments to continuously measure and store the above parameters at 1-minute intervals for the full operating period of each day the plant is in operation; and
 - (v) Download the data on any day that an explosion occurs and at least once each week whenever the plant has been in operation.
- N4(b) In the event of an Airblast within the Premises, the Licensee shall:
- (i) download the data from the instrument required by Condition N3(a) as soon as is practicable and within at least 12 hours;
 - (ii) extract the 1-minute measurement period when the explosion occurred to calculate the quantity $L_{A \text{ peak}} - L_{A \text{ max Slow}}$, and where this quantity is more than 15 dB, apply an adjustment of + 10 dB(A) to the $L_{A \text{ max Slow}}$ level to adjust for impulsiveness in accordance with Clause 3 of Schedule 4 of the Regulations;
 - (iii) prepare a report which shall indicate the relevant 1-minute measurement period to include the time and date, $L_{\text{Linear peak}}$, $L_{A \text{ peak}}$, and the $L_{A \text{ max Slow}}$ values (adjusted for impulsiveness where necessary); where the $L_{A \text{ max Slow}}$ level is > 90 dB(A), the Licensee shall highlight the adjustment applied to the $L_{A \text{ max Slow}}$ values in the report; and
 - (iv) the report required by part (b)(iii) of this condition shall be prepared within 24 hours of an Airblast event occurring on the premises and shall thereafter be made available immediately on request by an authorised inspector of the DER.

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N4(c) The Licensee shall retain at the Premises for inspection by an authorised inspector on request, all of the results of the daily monitoring for a period of at least 3 months from the date of measurement.

Note: Sound level monitoring data should be recovered when the shredder is not operational


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Officer delegated under Section 20
of the *Environmental Protection Act 1986*

Date: 12 September 2013

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DEPARTMENT OF ENVIRONMENT REGULATION
Environmental Protection Act 1986

LICENCE NUMBER: 4315/1984/11

FILE NUMBER: DEC10500

ATTACHMENT 1

PLAN OF PREMISES



ATTACHMENT 2

LICENCE NUMBER: 4193/1989/11

FILE NUMBER: DEC10500

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 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 initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

ATTACHMENT 2

LICENCE NUMBER: 4193/1989/11

FILE NUMBER: DEC10500

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 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 initiated by the person(s) who signs Section C of this annual audit compliance report
INITIAL: _____

ATTACHMENT 2

LICENCE NUMBER: 4193/1989/11

FILE NUMBER: DEC10500

SECTION C - SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report may only be signed by a person(s) with legal authority to sign it. The ways in which the Annual Audit Compliance Report 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 Annual Audit Compliance Report 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"/> by the individual licence holder, or <input type="checkbox"/> 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"/> by the principal executive officer of the licensee; or <input type="checkbox"/> 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"/> by affixing the common seal of the licensee in accordance with the Corporations Act 2001; or <input type="checkbox"/> by two directors of the licensee; or <input type="checkbox"/> by a director and a company secretary of the licensee, or <input type="checkbox"/> if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or <input type="checkbox"/> by the principal executive officer of the licensee; or <input type="checkbox"/> 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"/> by the principal executive officer of the licensee; or <input type="checkbox"/> 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"/> by the chief executive officer of the licensee; or <input type="checkbox"/> 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)

