



Licence

Environmental Protection Act 1986, Part V

Licensee: Geraldton Brick Pty Ltd

Licence: L9122/2018/1

Registered office: Level 2, 186 Scarborough Beach Road
 Mount Horthorn WA 6016

ACN: 131 069 479

Premises address: Geraldton Brickworks
 572 Bootenal Rd
 Lot 10 on Deposited Plan 71569, Volume 2781, Folio 320
 BOOTENAL WA 6532

Issue date: 5 June 2018

Expiry date: 4 June 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
41	Clay bricks or ceramic products manufacturing: premises on which refractory products, tiles, pipes or pottery are manufactured	1,000 tonnes or more per annual period	19,390 tonnes per annual period

Conditions

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

Date signed: 5 June 2018

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 Caron Goodbourn
 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.

DWER's industry licensing role

The Department of Water and Environment Regulation (DWER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DWER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DWER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DWER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DWER 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:
<https://www.slp.wa.gov.au/Index.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

Geraldton Brick Pty Ltd, originally established in 1946, is a small manufacturer of clay bricks and pavers based just outside of Geraldton. It can produce up to 7 million bricks per annum through its two batch cycle, natural gas fired kilns.

Clays from both the onsite pit and other offsite pits are stored in the stockpile area. Fired brick waste is crushed and buried in the onsite inert landfill. The landfill throughput is under the threshold capacity for a prescribed premises.

Drying of the shaped products is undertaken in the two driers onsite, resulting in water vapour emissions. Firing of the dried shapes is undertaken in high temperature kilns. As the clay products are heated, fluoride, chloride, sulphur and other elements naturally present in the clays are emitted into the air in the kiln, along with more water vapour. The fluoride release rate varies over the firing cycle and peaks at temperatures over 800°C, depending on the raw material, product and kiln conditions. Some of the raw material additives are also burnt off during firing. The point source air emissions from the two kilns are unabated. The principle emissions to air are the acidic gases Hydrogen Chloride (HCl), Hydrogen Fluoride (HF), oxides of nitrogen, oxides of sulphur, Volatile Organic Compounds (VOCs), and particulates. Dust emissions may arise from raw materials handling and odour can result from the use of sugar for decalcification.

This licence L9122/2018/1 is the replacement to licence L8866/2014/2 which ceased due to non-payment of annual fees. Only administrative changes have been made to the replacement licence. The licences or works approvals issued for the Premises since 29/09/2011 are:

Instrument log		
Instrument	Issued	Description
L5910/1978/11	29/09/2011	Licence re-issue
L5910/1978/11	3/09/2014	Licence amendment and removal of Category 63 as premises is under the capacity threshold
L8866/2014/1	11/12/2014	New licence issued for a period of six months
L8866/2014/1	11/06/2015	Licence amendment to extend expiry date for a period of three months
L8866/2014/1	10/09/2015	Licence amendment to new format licence and extend expiry date for a period of three months
L8866/2014/1	14/12/2015	Licence amendment to extend expiry date for a period of three months
L8866/2014/2	10/03/2016	Licence re-issue
L8866/2014/2	Ceased	This licence ceased to have effect on non-payment on 15/03/2017
L9122/2018/1	05/06/2018	Replacement of ceased licence L8866/2014/2

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*;

'AACR' means the Annual Audit Compliance Report, the template of which can be found on the DWER's website www.dwer.wa.gov.au

'annual period' means the inclusive period from 1 January until 31 December in that year;

'averaging period' means the time over which a limit is measured or a monitoring result is obtained;

'CEMS' means continuous emissions monitoring system;

'CEO' means Chief Executive Officer of the Department of Water and Environmental Regulation;

'CEO' for the purpose of correspondence means:

Chief Executive Officer
Department of Water and Environmental Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@dwer.wa.gov.au

'Licence' means this Licence numbered L9122/2018/1 and issued under the Act;

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

'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;

'normal operating conditions' means any operation of a particular process (including abatement equipment) excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

'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 & 2' means Schedule 1 & 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.

1.3 Premises operation

- 1.3.1 The Licensee shall only accept waste on to the landfill if:
 - (a) it is of a type listed in Table 1.3.1;
 - (b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
 - (c) it meets any specification listed in Table 1.3.1.

Table 1.3.1: Waste acceptance

Waste type	Quantity limit	Specification
Inert Waste Type 1	< 500 tonnes/ year	Waste from onsite brick manufacturing activities

- 1.3.2 The Licensee shall implement the following security measures at the site:
 - (a) erect and maintain suitable fencing to prevent unauthorised access to the site;
 - (b) ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
 - (c) undertake regular inspections of all security measures and repair damage as soon as practicable.

2 Emissions

2.1 General

2.1 Point source emissions to air

- 2.1.1 The Licensee shall ensure that where waste is emitted to air from the emission points in Table 2.1.1 and identified on the premises map in Schedule 1 it is done so in accordance with the conditions of this Licence.

Table 2.2.1: Emission points to air

Emission point reference and location on Map of emission points	Emission Point and source
A1	Kiln 1 stack A
A2	Kiln 1 stack B
A3	Kiln 2 stack C



3 Monitoring

3.1 General monitoring

- 3.1.1 The licensee shall ensure that all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured.
- 3.1.2 The Licensee shall ensure that annual monitoring is undertaken at least 9 months apart.
- 3.1.3 The Licensee shall record production or throughput data and any other process parameters relevant to any non-continuous or CEMS monitoring undertaken.
- 3.1.4 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer’s specifications.
- 3.1.5 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to air

- 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 air				
Emission point reference	Parameter	Units¹	Frequency²	Method
A1, A2 and A3	Hydrogen Fluoride	g/s	Annual	Mass balance calculation based on fluoride content of raw clay material in accordance with Appendix 6 of the EPA Victoria ‘Environmental Guidelines for the Fired Clay Building Products Industry 1998’

Note 1: All units are referenced to STP dry

Note 2: Monitoring shall be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production.

- 3.2.2 The Licensee shall ensure that all non-continuous sampling and analysis undertaken pursuant to condition 3.2.1 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.

3.3 Monitoring of inputs and outputs

- 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 inputs and outputs

Input/Output	Parameter	Units	Averaging period	Frequency
Primary clay raw materials	Fluoride (F) content	mg/kg as F	Minimum 2 composite clay mix samples each consisting of 10 individual samples	Annually
Fired bricks			Four bricks from the same batch as raw materials monitoring	
Unfired brick	Moisture content	% w/w		
Waste Inputs	Inert Waste Type 1	m ³	-	Each load arriving at the landfill area

4 Information

4.1 Records

4.1.1 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.

4.1.2 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.

4.1.3 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.

4.1.4 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 within 91 calendar days 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*
-	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
Table 3.2.1	Hydrogen Fluoride (HF) mass emissions to air	
Table 3.3.1	Input/output monitoring	
Table 3.3.1	Waste acceptance (in tonnes)	
4.1.3	Compliance	*Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

* template of the form can be found on DWER's website

- 4.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- any relevant process, production or operational data recorded under Condition 3.1.3; and
 - an assessment of the information contained within the report against previous monitoring results.

- 4.2.3 The Licensee shall submit the information in Table 4.2.2 to the CEO according to the specifications in that table.

Table 4.2.2: Non-annual reporting requirements				
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEOs request	As received by the Licensee from third parties

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 requirement¹	Format or form*
3.1.5	Calibration report	As soon as practicable.	None specified

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

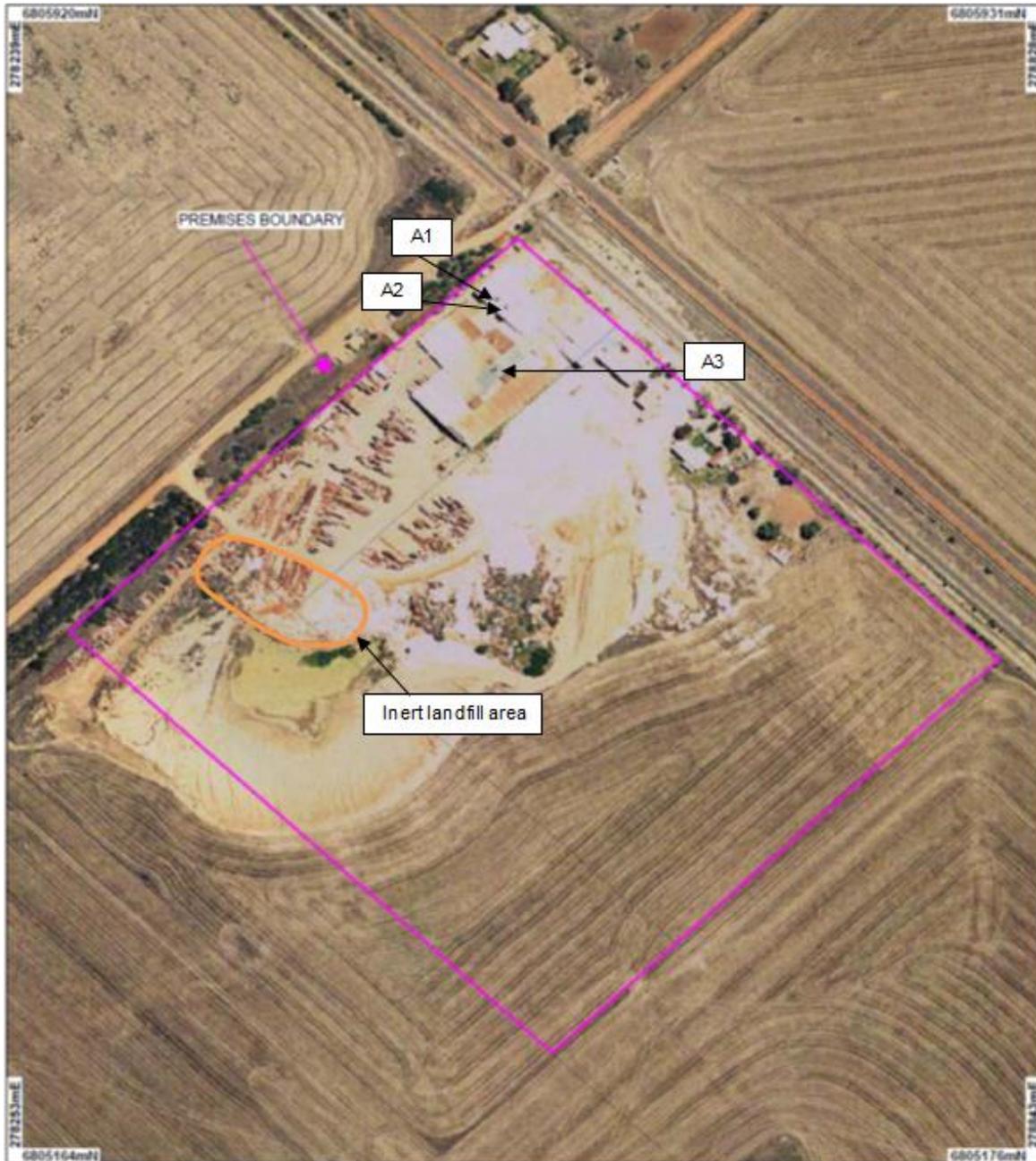
*Form in schedule 2



Schedule 1: Maps

Premises map

The Premises, landfill area and air emission points are shown in the map below. The pink line depicts the Premises boundary.





Schedule 2: N1 form

Licence: L9122/2018/1
 Form: N1

Licensee: Geraldton Brick Pty Ltd
 Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

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	

Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	



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 Geraldton Brick Pty Ltd	
Date	