



# Licence

## *Environmental Protection Act 1986, Part V*

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**Licensee:** Solenis Australia Pty Ltd

**Licence:** L6728/1993/13

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**Registered office:** 1612 1624 Centre Road  
SPRINGVALE VIC 3171

**ACN:** 169 325 151

**Premises address:** Solenis Australia - Kwinana  
9 Leath Road  
KWINANA BEACH WA 6167  
Being Part Lot 9500 on Plan 73740 as depicted in Schedule 1

**Issue date:** Monday, 13 July 2015

**Commencement date:** Thursday, 16 July 2015

**Expiry date:** Sunday, 15 July 2030

**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 premise with category 32) on which chemical products are manufactured by a chemical process.	100 tonnes or more per year	14 000 tonnes per annual period

**Conditions**

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

.....  
A/Manager, Process Industries  
Officer delegated under section 20  
of the *Environmental Protection Act 1986*



## Contents

Licence	1
Contents	2
Introduction	2
Licence conditions	4
1 General	4
2 Emissions	6
3 Monitoring	6
4 Improvements	6
5 Information	7
Schedule 1: Maps	9
Schedule 2: Reporting & notification forms	10

## 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 works with the business owners, community, consultants, industry and other representatives 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

The Solenis Australia Kwinana facility is located on part of Lot 9500 on Plan 73740 in Leath Road, Kwinana Beach. The nearest residence is in Naval Base approximately 800 metres away.

Solenis Australia Kwinana facility principally manufactures flocculants, dispersants and anti scalants used in the mining industry, and concrete additives and accelerants. There are two manufacturing lines mixing and producing liquid products and a third which handles dry product with a bagging area.

Isothermal solution polymerisation is carried out in a reaction vessel at slightly elevated temperatures, from which products are pumped to a holding tank.

Powder products are produced when chilled monomer is mixed with a redox initiator under a nitrogen atmosphere forming a gel. The gel is dried and then ground and passed to a storage hopper for bagging.

Admixtures are produced when liquid raw materials are mixed in an indoor mixing vessel which directs to a tank farm from which products are loaded directly to road tankers or IBCs.

The key emissions from the site include:

- Emissions to air including oxides of nitrogen, particulate matter, acrylamide, acrylic acid and other VOCs;
- Odours from the chemicals involved in production;

This Licence is the successor to licence L6728/1993/12 and includes changes to the format and conditions to convert the licence to the current DER template. The licences and works approvals issued for the Premises since 12/07/2012 are:

Instrument log		
Instrument	Issued	Description
L6728/1993/12	12/07/2012	Licence reissue
L6728/1993/13	13/07/2015	Licence re-issue and template update

#### 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 Audit Compliance Report'** means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO (guidelines and templates may be available on the Department's website).

**'annual period'** means the inclusive period from 1 July until 30 June in the following year;

**'CEO'** means Chief Executive Officer;

**'CEO'** for the purposes of notification means;

Director General  
Department Administering the *Environmental Protection Act 1986*  
Locked Bag 10  
JOONDALUP DC WA 6919  
[info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au)

**'code of practice for the storage and handling of dangerous goods'** means the document titled "Storage and handling of dangerous goods: Code of Practice" published by the Department of Mines and Petroleum, as amended from time to time;

**'dangerous goods'** has the meaning defined in the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*;

**'environmentally hazardous material'** means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

**'fugitive emissions'** means all emissions not arising from point sources identified in sections 2.2, 2.3, 2.4 and 2.5;

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

**'Licence'** means this Licence numbered L6728/1993/13 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; and



'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.

## 1.2 General conditions

- 1.2.1 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.
- 1.2.2 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.
- 1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.
- 1.2.4 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 ensure that materials specified in Table 1.3.1 are only stored and/or processed within vessels or compounds provided with the infrastructure detailed in that Table.

Table 1.3.1: Containment infrastructure		
Vessel or compound	Material	Requirements
Dry materials processing	Dry process raw materials and products	Within an enclosed building
Main manufacturing building	Raw materials, processing facilities and manufactured products	Bunded hardstand surface  Process spillages and wash-down effluent from the main manufacturing building shall be directed to a holding tank prior to removal off site
Bulk liquid chemical storage and delivery facilities	Bulk liquid chemicals	Bunded hardstand surface to be maintained in areas where road tankers discharge to bulk liquid chemical storage facilities



## 2 Emissions

### 2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

### 2.2 Point source emissions to air

There are no specified conditions relating to point source emissions to air in this section.

### 2.3 Point source emissions to surface water

There are no specified conditions relating to point source emissions to surface water in this section.

### 2.4 Point source emissions to groundwater

There are no specified conditions relating to point source emissions to groundwater in this section.

### 2.5 Emissions to land

There are no specified conditions relating to emissions to land in this section.

### 2.6 Fugitive emissions

- 2.6.1 The Licensee shall ensure that no visible dust generated by the activities on the Premises crosses the boundary of the Premises.

### 2.7 Odour

There are no specified conditions relating to odour in this section.

### 2.8 Noise

There are no specified conditions relating to noise in this section.

## 3 Monitoring

There are no specified conditions relating to monitoring in this section.

## 4 Improvements

There are no specified improvement conditions in this section.



## 5 Information

### 5.1 Records

- 5.1.1 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 5.1.1(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.
- 5.1.2 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.
- 5.1.3 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.
- 5.1.4 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.

### 5.2 Reporting

- 5.2.1 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 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
-	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
-	Tonnes of final product produced for each process on site	None Specified
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2



### 5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	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

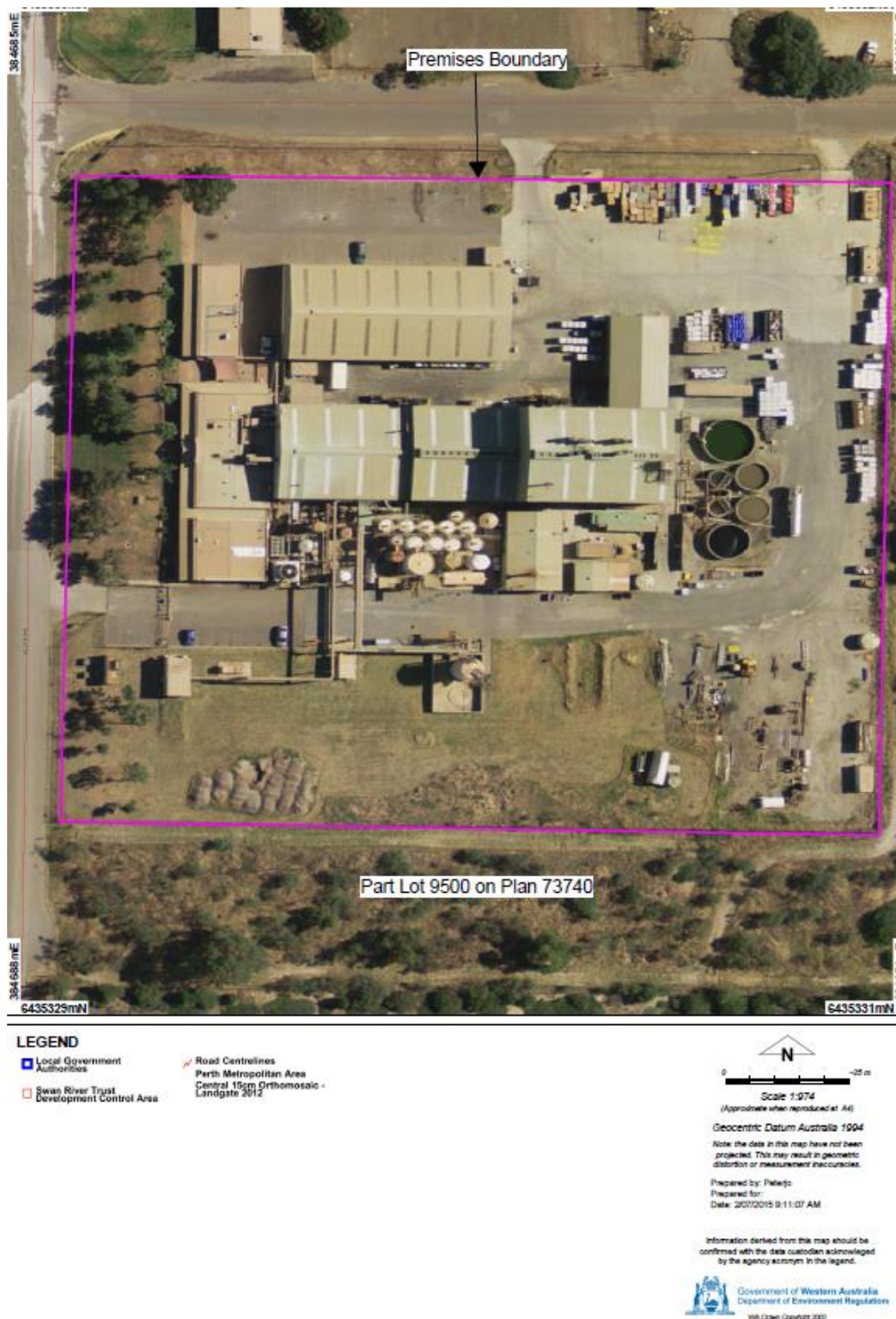
Note 2: Forms are in Schedule 2



## Schedule 1: Maps

### Premises map

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





## Schedule 2: Reporting & notification forms

Licence: L6728/1993/13  
Form: N1

Licensee: Solenis Australia 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 Solenis Australia Ltd	
Date	