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Waste Reform Project
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Comments on Discussion paper – Waste levy and waste management: Proposed approaches for legislative reform.

Thank you for the opportunity to comment on this discussion paper. The BP Refinery (Kwinana) endorses the submission made by the Kwinana Industries Council (KIC) which addresses the broader issues that relate to industry as a whole. In addition to this we would like to comment here more specifically about how the proposed changes might impact the Refinery operations.

About BP Refinery (Kwinana)

BP's petroleum refinery at Kwinana is Australia's largest and the only one in Western Australia. The Refinery is regarded at State and Federal levels as critical energy infrastructure, manufacturing the majority of the State's liquid energy requirements including motor spirits, diesel, LPG and aviation fuel – being the major supplier of jet fuel for Perth airport. As well as supplying fuels to the WA market, product from the Kwinana Refinery is also exported to South Australia and the eastern seaboard to meet demand for transport fuels in those locations.

Solid wastes generated at the Refinery result from crude processing and related activities with wastes including: sludges, spent catalysts and other spent chemicals, contaminated soils, as well as general and recyclable wastes from onsite offices. The amount of waste generated is dependent on processing units operation and maintenance periods, and thus can vary significantly from year to year. In relation to waste, the Refinery is currently licenced under the Environmental Protection Act (1986) as a prescribed premise under category 61: Liquid Waste Facility and category 61(a): Solid Waste Facility. The Refinery operates a waste treatment facility in accordance with its licence. This facility includes a land farm for bioremediation of oily sludges (including bio-sludge from the onsite wastewater treatment plant). On the land farm biological processes break down any hydrocarbons present in the soil into carbon dioxide, water and soil humus. Inorganic fractions present in the soil become physically and chemically bound to soil particles, which prevents potential contaminant migration. This oily sludge treatment facility is operated and monitored in accordance with strict procedures to assure licence conditions are met and that there are no detrimental environmental impacts.

BP Refinery (Kwinana) (BPRK) comments on the Waste levy and waste management: Proposed approaches for legislative reform.

The Refinery is supportive of the overall Waste Reform project outcomes of increasing waste reuse and recycling and diversion of waste from landfill. This is aligned with the Refinery's own environmental policy and commitment to sustainable development. There is a good opportunity to increase potential waste reuse and recycling as part of the proposed Waste Reform project, however there are a few aspects which may lead to unintended consequences for operating sites such as the BP Refinery Kwinana. These potential issues are discussed below for your consideration.

Applying a levy to solid waste effectively treated onsite

As mentioned above, the BP Refinery operates a solid waste treatment facility in accordance with its Department of Water and Environmental Regulation licence, whereby oily sludges are bioremediated at the onsite land farm facility. This is an effective and safe biological treatment of these types of wastes and there are extensive control measures that ensure no detrimental environmental impacts. In terms of alternatives, the Refinery is not aware of any existing large scale reuse/recycling opportunities for these oily sludges and it is preferential not to send this material to landfill.

The Refinery believes land farming is currently the most sustainable method of dealing with its oily sludges, ensuring effective practical treatment without adding to landfill volumes. Applying the waste levy to Refinery oily sludges currently land farmed is not in line with achieving the intended objectives of the levy which are - increasing recycling and diversion of waste from landfill. The Refinery would therefore propose an exemption from the levy for oily sludges treated on its land farm facility would be a suitable approach.

Insufficient timelines for application of levy to wastes stored onsite

The Waste Reform project proposes to amend the WARR Levy Regulations to apply the levy to categories 61A and 62 if waste is not lawfully removed from the premises within 12 months. The Refinery acknowledges and is supportive of the desired outcome of preventing long term stockpiling of wastes. However, in the Refinery's experience 12 months is an insufficient timeline to complete all the required steps for disposal of wastes generated onsite, particularly some of the more complex wastes. Timelines needs to allow for adequate sampling, investigating appropriate treatment/reuse/disposal options and any procurement processes and contractual agreements that need to be put in place.

A Refinery example where 12 months is not sufficient includes:

- Following a major Refinery maintenance overhaul (typically every 4 years) there are large quantities of varying quality wastes generated across the site. These all need to be adequately analysed and assessed prior to being disposed of. Due to the large volume of waste generated and potentially varying nature of contaminant loads at each major maintenance overhaul, it can take a long time to complete the disposal of all wastes generated.

Imposing the tight 12 month timeline prior to the application of the waste levy would result in the Refinery incurring a significant cost, regardless of best intentions to dispose of the wastes, purely due to the timelines involved. The Refinery proposes that consideration be given to extending the 12 month timeline, particularly for complex wastes or wastes generated as part of large maintenance overhaul events.

Lack of available reuse/recycle/disposal options

There is currently a lack of practical reuse/recycle/disposal options for many industrial wastes. For example the Refinery produces approximately 150 tonnes/year of Class 4 quality wastes for which there are no current reuse/recycling applications. With no availability of a Class 4 landfill, the only option is to stockpile this waste onsite. With the enforcement of the levy it is envisaged that facilities will be financially impacted for storing these wastes as a result of no availability of suitable landfill facilities. The Waste Reform project should consider availability of suitable landfill sites as part of the overall strategy to minimise stockpiling at industrial sites.

If you would like to discuss the above further, please contact Kate Brown at the Refinery.

Yours sincerely,



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