



<b>Licence Number</b>	L8740/2013/1
<b>Licence Holder</b>	Nationwide Oil Pty Ltd
<b>ACN</b>	066 383 364
<b>File Number:</b>	2013/001608-1
<b>Premises</b>	Nationwide Oil 32 Ewing Street BENTLEY WA 6102 Being Lot 203 on Plan 2731
<b>Date of Amendment</b>	8 August 2018

## Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Date signed: 8 August 2018

**Rebecca Kelly**

**MANAGER WASTE INDUSTRIES**

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

# Definitions and interpretation

## Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

**Table 1: Definitions**

Term	Definition
Amendment Notice	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 <a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a>
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
Licence Holder	Nationwide Oil Pty Ltd
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>

## 1. Amendment description

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

This amendment is the result of a Licence Holder initiated amendment to remove conditions that are not applicable to Premises operations. Below is a summary of the requested amendments:

- Condition 1.2.1: general condition specifying that the licence does not give authorisation for pollution, unreasonable emissions, discharges of waste likely to cause pollution or contradiction of any other written law;
- Condition 1.2.2: general condition requiring pollution control and monitoring equipment to be maintained in accordance with manufacturer's specification or internal management systems;
- Condition 1.2.3: general condition regarding storing dangerous goods below placard quantities in accordance with the Code of Practice for the Storage and handling of dangerous goods;
- Condition 1.2.4: general condition requiring clean-up of any spills of environmentally hazardous materials which occur outside of an engineered contained system;
- All of Section 2 (Emissions):
  - Condition 2.1.1 (general): requiring the recording and investigation of any exceedances specified within Section 2;
  - Section 2.2 – 2.4 (Point source emissions to air, surface water and groundwater): specifies that there are no conditions in this section;
  - Section 2.5 (emissions to land): specifies that there are no conditions in this section;
  - Conditions 2.6.1 and 2.6.2 (fugitive emissions): related to minimising dust emissions and to prevent visible dust crossing Premises boundary;
  - Condition 2.7.1 (odour): ensuring no unreasonable odours are emitted beyond the Premises;
  - Section 2.8 (noise): specifies that there are no conditions in this section;
- Section 3.1 (general monitoring): specifies that there are no conditions in this section;
- Section 3.2 – 3.4 (monitoring of point source emissions to air, surface water and groundwater): specifies that there are no conditions in this section;
- Section 3.5 (monitoring of emissions to land): specifies that there are no conditions in this section;
- Section 3.7 (process monitoring): specifies that there are no conditions in this section;
- Section 3.8 (ambient environmental quality monitoring): specifies that there are no conditions in this section;
- Section 3.9 (meteorological monitoring): specifies that there are no conditions in this section;
- Section 4.1 (improvements): specifies that there are no conditions in this section.

Additional amendments such as updating, including or deleting definitions, and the removal of conditions (5.1.2, related to people being left in charge of the Premises being aware of the requirements of the Licence; and 5.1.5, maintaining waste register which is a duplicate to

condition 3.6.1) additional to the Licence Holder's amendment application have been undertaken as described in Section 7 below.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015)
- *Guidance Statement: Setting Conditions* (October 2015)
- *Guidance Statement: Decision Making* (February 2017)
- *Guidance Statement: Risk Assessment* (February 2017)

## 2. Amendment history

Table 2 provides the amendment history for L8740/2013/1 since April 2016.

**Table 2: Licence amendments**

Instrument	Issued	Amendment
L8740/2013/1	29/04/2016	Department initiated amendment to extend licence duration until 12 May 2027
L8740/2013/1	12/10/2017	Amendment Notice 1: Inclusion of prescribed premises category 61
L8740/2013/1	XX/08/2018	Amendment Notice 2: Removal of redundant conditions

## 3. Location and receptors

Table 3 below lists the relevant sensitive land uses in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

**Table 3: Receptors and distance from activity boundary**

Residential and sensitive premises	Distance from Prescribed Premises
Residential receptors	The closest residential dwelling is located approximately 140m south-west from the Premises boundary. Additional residential areas are located 170m north, north-west and 400m south-east of the Premises boundary.
Industrial receptors	Adjacent to the Premises
Shopping centre complex	150m west of Premises boundary
Bentley Health Services (Hospital)	500m south, south-east of Premises boundary

Table 4 below lists the relevant water receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

**Table 4: Groundwater and surface water receptors**

Environmental receptors	Distance from Prescribed Premises
Compensation basin (Water Corporation)	100m west of Premises boundary (down hydraulic gradient of Premises)

Groundwater	<p>4 – 5m below ground level (bgl) as identified using the Department's online software <i>Perth Groundwater Map</i> (PGM).</p> <p>PGM indicates an inferred local groundwater flow from east to west with groundwater quality considered fresh (total dissolved solids between 250 – 500 mg/L), low risk of iron staining, moderate to low risk of acid sulfate soils, and suitable for abstraction bores.</p> <p>The Department's online software <i>Water Register</i> indicates that there is one abstraction bore located within 500m of the Premises, at the Bentley hospital.</p>
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PGM indicates that the soil type consists of Bassendean Sand which is conducive to higher permeability and provides a pathway to groundwater.

#### 4. Risk assessment

Noise emissions have not been reassessed as the amendment does not result in any changes to current noise emissions. Although the proposed amendment does not result in any changes to emissions from the Premises, leachate, dust and odour emissions have been reassessed as the proposed amendment seeks to remove conditions which relate to these emissions.

Table 5 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments*. The table identifies whether the emission presents a material risk to public health or the environment, requiring regulatory control.

**Table 5: Risk assessment for proposed amendments during operation**

Risk Event					Continue to detailed risk assessment?	Reasoning	
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts			
Cat 61: Liquid waste facility Cat 62: Solid waste depot	Storage and consolidation of solid and liquid wastes, including waste handling  Drum and oil filter crushing  Drum washing	Leachate	Groundwater	Seepage through soil	Contamination of groundwater supply for nearby users	No	All leachate is contained within the premises or discharged via sewer: <ul style="list-style-type: none"> <li>The Premises is overlain by asphalt and bitumen hardstands.</li> <li>Liquid wastes are decanted/consolidated within the warehouse in a designated bunded area. Any spills in this area are contained and can be easily removed.</li> <li>Wash waters are treated through an Allflow Vertical Gravity Separator (oily water separator) before being discharged to Water Corporation sewer via Industrial Trade Waste Agreement No. 40169.</li> <li>The conditions included in Amendment Notice 1 (limiting quantities of waste, specifying storage requirements), based on the risk assessment, are considered sufficient for management of leachates/spills and no additional regulatory controls are required.</li> <li>The amendment does not alter the level of leachate emissions from the Premises.</li> </ul>
			Compensation basin	Overland migration; Movement through groundwater (seepage through soil)	Impacts to vegetation from excessive nutrients or other contaminants in leachate  Contamination of surface waters at the point of groundwater expression		
	Odour	Adjacent industrial receptors	Air/wind dispersion	Impacts to amenity, health and wellbeing	No		

Cat 61: Liquid waste facility	Storage and consolidation of solid and liquid wastes, including waste handling	Odour	Residential premises	Air/wind dispersion	Impacts to amenity, health and wellbeing	No	<p>Wastes are decanted/consolidated inside an enclosed warehouse. The bulk of wastes received onsite are packaged. Only small quantities (up to 500 tonnes a year) of liquids are consolidated onsite.</p> <p>No odour complaints have been received by the Department in regards to this Premises.</p> <p>The amendment does not alter the level of odour emissions from the Premises.</p>
			Patrons of shopping centre				
			Bentley hospital				
		Cat 62: Solid waste depot	Drum and oil filter crushing  Drum washing	Dust	Adjacent industrial receptors	Air/wind dispersion	
Residential premises							
Patrons of shopping centre							
Bentley hospital							

## 5. Decision

Based on the risk assessment in Table 5 above, the Delegated Officer has determined that the Licence will be amended by the removal of definitions, conditions and sections which are not applicable to or reflective of site operations, or are otherwise not relevant to the licence.

Amendments to definitions have been undertaken by the Department to reflect updated terminology and to reflect the change in Departmental contacts. Conditions additional to the Licence Holder's amendment application have been removed by the Department where identified as not being applicable.

The changes are detailed below in Section 7.

## 6. Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 3 August 2018. On 6 August 2018 the Licence Holder notified the Department in writing to waive the consultation period and have Amendment Notice 2 granted.

## 7. Amendment

1. The Definitions section of the Licence is amended by the deletion of the text shown in strikethrough and the insertion of the red text shown in underline below:

ACN means Australian Company Number

CEO means Chief Executive Officer.

CEO for the purposes of notification means:

Director General

Department Administering the Environmental Protection Act 1986

Locked Bag 33 Cloisters Square

PERTH WA 6850

info@dwer.wa.gov.au

Condition means a condition to which this Licence is subject under s.62 of the EP Act.

~~“Code of Practice for the Storage and handling of dangerous goods” means the Storage and handling of dangerous goods, Code of Practice, Dept of Mines and Petroleum, Government of Western Australia,~~

~~“contact address” for the purpose of correspondence and advice means:-~~

~~Regional Leader, Swan Region~~

~~Department of Environment and Conservation~~

~~Locked Bag 104~~

~~BENTLEY DELIVERY CENTRE WA 6983~~

~~Telephone: (08) 9333 7510~~

~~Facsimile: (08) 9333 7550~~

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

Department means the department established under section 35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Part V, Division 3 of the EP Act.



DWER means Department of Water and Environmental Regulation

~~“the EP Act” means the Environmental Protection Act 1986;~~

EP Regulations means the Environmental Protection Regulations 1987 (WA)

~~“Director” means Director, Environmental Regulation Division of the Department of Environment and Conservation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the Environmental Protection Act 1986;~~

~~“environmentally hazardous material” means material (either solid or liquid) which if discharged into the environment from or within the premises may cause pollution or environmental harm;~~

~~“fugitive emissions” means all emissions not arising from point sources identified in Sections 2.2 2.3, 2.4 and 2.5;~~

~~“Licence” means this Licence numbered L8740/2013/1 and issued under the Environmental Protection Act 1986;~~ refers to this document, which evidences the grant of a Licence by the CEO under s.57 of the EP Act, subject to the Conditions.

~~“Licensee” means the person or organisation named as Licensee on page 1 of the Licence;~~

Licence Holder refers to the occupier of the premises being the person to whom this Licence has been granted, as specified at the front of this Licence.

~~“placard quantity” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;~~

~~“Premises” means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;~~ refers to the premises to which this Licence applies, as specified at the front of this Licence and as shown on the map in Schedule 1 to this Licence.

2. Section 1 of the Licence is amended by the deletion of the following Conditions shown in strikethrough below:

~~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 maintain all pollution control and monitoring equipment to the manufacturer’s specification or any internal management system.~~

~~1.2.3 The Licensee, except where storage is prescribed in section 1.3, shall only store substances that are classed as dangerous goods below placard quantities or environmentally hazardous materials not classified as dangerous goods if they 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.~~

3. The Licence is amended by the deletion of Section 2 as shown in strikethrough below:

## ~~2 Emissions~~

### ~~2.1 General~~

~~2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit, and/or target in this section.~~

### ~~2.2-2.4 Point source emissions to air, surface water and groundwater~~

~~There are no specified conditions relating to point source emissions to air, surface water or 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 use all reasonable and practical measures to prevent and, where that is not practicable, to minimise dust emissions from the Premises.~~

~~2.6.2 The Licensee shall ensure that no visible dust generated by the activities of the Premises crosses the boundary of the Premises.~~

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### ~~2.7 Odour~~

~~2.7.1 The Licensee shall ensure that odour emitted from the Premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the Premises.~~

### ~~2.8 Noise~~

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

4. Section 3 of the Licence is amended by the deletion of the following Conditions shown in strikethrough below:

### ~~3.1 General monitoring~~

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

### ~~3.2-3.4 Monitoring of point source emissions to air, surface water and groundwater~~

~~There are no specified conditions relating to monitoring of point source emissions to air, surface water or groundwater in this section.~~

### ~~3.5 — Monitoring of emissions to land~~

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

### ~~3.7 — Process monitoring~~

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

### ~~3.8 — Ambient environmental quality monitoring~~

~~There are no specified conditions relating to ambient environmental quality monitoring in this section.~~

### ~~3.9 — Meteorological monitoring~~

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

5. The Licence is amended by the deletion of Section 4 as shown in strikethrough below:

## ~~4 — Improvements~~

### ~~4.1 — Improvement Programme~~

~~There are no specified improvement conditions in this section.~~

6. Section 5 of the Licence is amended by the deletion of the following Conditions shown in strikethrough below:

~~5.1.1 — 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.~~

~~5.1.2 — The Licensee shall:~~

- ~~(a) — implement and maintain a system which ensures that a record is made of:
  - ~~(i) — the waste types and quantities accepted at the Premises;~~
  - ~~(ii) — the waste types and quantities removed from the Premises;~~
  - ~~(iii) — loads rejected from the Premises including the reason for rejection.~~~~

## Appendix 1: Key documents

	Document title	Availability
1	Licence L8740/2013/1 – Nationwide Oil	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
2	Amendment Notice 1 – L8740/2013/1 Nationwide Oil	
3	Licence amendment application L8740/2013/1	DWER records (A1700647)
4	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
5	DER, October 2015. <i>Guidance Statement: Setting Conditions</i> . Department of Environment Regulation, Perth.	
6	DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	
7	DER, February 2017. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	