



Licence Number	L9109/2017/1
Licence Holder	Contract Resources (Karratha) Pty Ltd
ACN	609 929 580
File Number:	DER2017/002200-1
Premises	Karratha Mercury Treatment Plant Lot 117 Bedrock Turn GAP RIDGE WA 6714 Legal description – Lot 117 on Deposited Plan 76660
Date of Amendment	26 November 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.

Steve Checker

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
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)
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	Contract Resources (Karratha) Pty Ltd
Minister	the Minister responsible for the EP Act and associated regulations
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.

Amendment Notice

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 notice is to give effect to the Minister's determination of 6 September 2018. There is no right of appeal to this amendment under section 105 of the EP Act due to the Minister's determination.

Amendment description

Licence L9109/2017/1 was issued to Contract Resources Pty Ltd on 2 March 2018 for the storage of solid and liquid wastes at the Karratha Mercury Treatment Facility, located at Lot 117 Bedrock Turn, Gap Ridge.

One appeal (Appeal Number 005 of 2018) was lodged against the conditions of the licence based on concerns that DWER's risk assessment of the licence application failed to include a risk assessment of potential emissions of toxic smoke and discharge of contaminated fire-fighting water resulting from fire outbreak at the premises and that appropriate conditions should be added to manage the risk of fire.

In September 2018, the Minister allowed the appeal to the extent that conditions relating to infrastructure be updated to include fire detection and fire-fighting systems and warehouse leak/spill containment systems.

This Amendment Notice 1 gives effect to the Minister's determination dated 6 September 2018, as required under section 110 of the EP Act. The Minister determined that the appeals be allowed to the extent that:

- *Condition 2 be amended to require the following onsite infrastructure is maintained in good working order and operated appropriately:*
 - *Fire detection system;*
 - *Automated fire alarm system;*
 - *Fire-hydrant ring main fire system; and*
 - *Independent fire pump system.*
- *Condition 2 be amended to require that the warehouse sump and internal graded flooring is maintained in good working order; and*
- *A new condition, Condition 12 be added to the licence to require that DWER is notified of any fire which occurs at the premises.*

Amendment history

Table 2 provides the amendment history for L9109/2017/1.

Table 2: Licence amendments

Instrument	Issued	Amendment
L9109/2017/1	26/11/2018	Amendment Notice 1 issued to give effect to the Minister's Appeal Determination of 6 September 2018.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 30 October 2018. The Licence Holder is happy with the draft amendment and have no comment on the changes.

Amendment

1. Condition 2 of the Licence is amended by the insertion of the red text shown in underline below:
2. *The Licence Holder must ensure that the infrastructure and equipment specified in Column 1 of Table 3 is maintained in good working order and operated in accordance with the requirements specified in Column 2 of Table 3.*

Table 3: Infrastructure and equipment controls table

Column 1	Column 2
Site infrastructure and equipment	Operational requirements
<i>Liquid Waste Storage Bund</i>	<i>Reinforced impermeable concrete construction Free of leaks and defects Capable of containing 800 t of liquid within the bunded area and stormwater from a 1 in 20 year, 72 hour duration rainfall event.</i>
<i>Spent Catalyst Laydown A</i>	<i>Compacted road base; Capable of storing 330 t of waste</i>
<i>Spent Catalyst Laydown B</i>	<i>Compacted road base; Capable of storing 470 t of waste</i>
<i>Perimeter fencing</i>	<i>To completely enclose the Premises and be capable of being securely locked. Minimum of 1.8 m high</i>
<u><i>Onsite fire detection system</i></u>	<u><i>Operated in accordance with the manufacture's specifications</i></u>
<u><i>Ring main fire system</i></u>	<u><i>5 fire hydrants maintained in accordance with the manufacture's specifications</i></u> <u><i>Fire pump system maintained in order to store 392kl of water at all times</i></u>
<u><i>Warehouse sump and internal graded flooring</i></u>	<u><i>Sump to be kept free of liquids and debris to permit full capacity at all times</i></u> <u><i>Internal graded flooring to be maintained so as to not restrict the flow of spills, leaks, firefighting water and other liquids to the sump.</i></u>

2. The Licence is amended by the insertion of Condition 12 below:
 - 12 *The Licence Holder must notify the CEO of any fire which occurs at the Premises within 24 hours of becoming aware of the fire, including the date/time of becoming aware, the extent and severity of the fire, the measures already taken or being taken to control the fire and any potential environmental or public health impacts that have occurred or are occurring as a result of the fire.*