



Application for Licence Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

| | |
|-----------------------|---|
| Licence Number | L6266/1991/10 |
| Licence Holder | Water Corporation |
| File Number | DER2014/00608 |
| Premises | Broome South Sewage Facility 34 Clementson Street MINYIRR WA 6725 Lot 1639 on Plan 184761 and Lot 512 on Plan 409418 As defined by the map in Schedule 1 of this Licence |
| Date of Report | 13/09/2022 |
| Decision | Revised licence granted |

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Officer delegated under section 20 of the Environmental Protection Act 1986

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1. Decision summary

Licence L6266/1991/10 is held by Water Corporation (Licence Holder) for the Broome South Wastewater Treatment Plant (the Premises), located at 34 Clementson Street Minyirr WA.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the decommissioning of Emergency Pond 3. As a result of this assessment, Revised Licence L6266/1991/10 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Amendment summary

On 18 February 2022, the Licence Holder submitted an application to the department to amend Licence L6266/1991/10 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments were sought:

- Decommission Emergency Pond 3 (also refer to as the Old Shire Pond);
- Remove the pond from the prescribed premise boundary; and
- Remove the reuse facilities from the licence to allow non-potable water to supplement the scheme.

The department notes that there is a requirement for the reuse scheme to be in operation during the decommissioning of Emergency Pond 3 and for the decommissioning works to be captured under the licence. The department will therefore not facilitate the removal of the reuse scheme and the changes to the premises boundary as part of the current licence amendment.

Should the Water Corporation wish to apply to remove the reuse scheme from the licence and amend the prescribed premises boundary, this will need to be done via a licence amendment application upon the completion of the decommissioning works and compliance reporting.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during decommissioning of Emergency Pond 3 have been considered in this Amendment Report are detailed in Table 1 below. Table 1 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 1: Licence Holder controls

| Emission | Sources | Potential pathways | Proposed controls |
|----------|---|----------------------------------|--|
| Dust | Decommissioning of Emergency Pond 3, removal of at least 200mm of material from the base of the pond, vehicle and plant movement, lift-off from stockpiles, earthworks etc. | Air/windborne pathway | A suitable method of dust control will be implemented on site at all times during decommissioning works (e.g. water carts). |
| Noise | Decommissioning of Emergency Pond 3, removal of at least 200mm of material from the base of the pond, vehicle and plant movement, earthworks etc. | Air/windborne pathway | Decommissioning works will be undertaken during the hours of 7am and 7pm Monday to Friday, however should works be required outside these times Water Corporation will seek relevant approvals from DWER and the Local Government authority, prepare a Noise Management Plan and undertake community consultation in accordance with the <i>Environmental Protection (Noise) Regulations 1997</i> . |
| Spills | Decommissioning of Emergency Pond 3, vehicle and plant movement, earthworks etc. | Seepage to soils and groundwater | <p>All hazardous chemicals and hydrocarbons required on site are to be stored in appropriately bunded areas to contain any potential leaks or spills.</p> <p>Appropriate spill kits, containment and recovery equipment, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of waste and chemicals associated with activities will be kept and maintained on site.</p> <p>Spill kits will be strategically located throughout the site.</p> <p>Appropriate spill response equipment for hazardous materials will be identified and readily accessible in areas where hazardous materials are stored.</p> <p>All waste products will be stored in appropriate rubbish bins and removed from the premises.</p> |

| Emission | Sources | Potential pathways | Proposed controls |
|--------------------------------|---|--|--|
| Overtopping of emergency ponds | Decommissioning of Emergency Pond 3, overtopping of emergency ponds due to heavy rainfall events. | Overland flow and seepage to soils and groundwater | <p>Keep Emergency Ponds 1 and 2 in operation.</p> <p>An updated water balance has been supplied as part of the licence amendment package. The water balance includes the removal of Emergency Pond 3 from the WWTP network.</p> <p>Limit inflows to the WWTP to reduce the likelihood of an overtopping event from occurring..</p> |

3.1.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 2 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2020)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

| Human receptors | Distance from prescribed activity |
|---|--|
| Residential Premises | <p>Residences located approximately 470 m to the east, separated from the Premises by vacant land zoned 'Development', extending further to the east and north.</p> <p>Residences located approximately 600 m to the northeast, separated from the Premises by vacant land zoned 'Development', the light industrial area and extending further to the north.</p> <p>Broome Vacation Village Caravan Park, located approximately 720 m to the west, separated from the Premises by the Broome Golf Club.</p> |
| Light industrial area | Adjacent to the north, separated from the Premises by a thin (20 m) vegetated strip and extending over 500 m to the north. |
| Recreational area – Broome Golf Club | Adjacent to the east, extending for approximately 500 m east and a further 2 kilometres to the southwest. |
| Recreation area – Roebuck Bay shoreline | 200 m to the southeast, extending to 400 m to the east and south. |

| Environmental receptors | Distance from prescribed activity |
|--|---|
| <i>Specified ecosystems</i> | |
| <p>Roebuck Bay marine ecosystem:</p> <p>(a) Shoreline and Threatened Ecological Community – Roebuck Bay mudflats (vulnerable)</p> <p>(b) Yawuru Nagulagun/ Roebuck Bay Marine Park.</p> <p>(c) West Kimberley National Heritage listing (relevant under Section 15B and 15C of the Environmental Protection and Biodiversity Conservation Act 1999).</p> <p>(d) Ramsar wetland boundary (relevant under Section 16 and 17 of the Environmental Protection and Biodiversity Conservation Act 1999).</p> | <p>(a) 200 m to the southeast, extending to 400 m to the east and south.</p> <p>(b) Starts 2 km east and 9 km south, having the Port of Broome area excised.</p> <p>(c) Starts 3 km east and again approximately 3 kilometres southwest and northwest across the Broome Peninsula. Gazetted 31 August 2011, No. S132.</p> <p>(d) Starts 8.8 km east extending around to the south along the Roebuck Bay shoreline and intertidal areas.</p> |
| Dampier Creek: Directory of Important Wetlands and mangrove forest (high value ecosystem) | Starts 1.5 km east, extending approximately 3 km east and 5 km north. |
| Groundwater - Current and future non-potable use. | Groundwater at the top of the unconfined superficial aquifer displays water quality characteristics consistent with non-potable beneficial uses for industry and domestic users; therefore, can be considered a groundwater resource. Groundwater abstraction and use occurs within the Broome town site. |
| Yawuru Birragun Conservation Park | Starts approximately 5 km north east and extends along the eastern shoreline of Dampier Creek. |

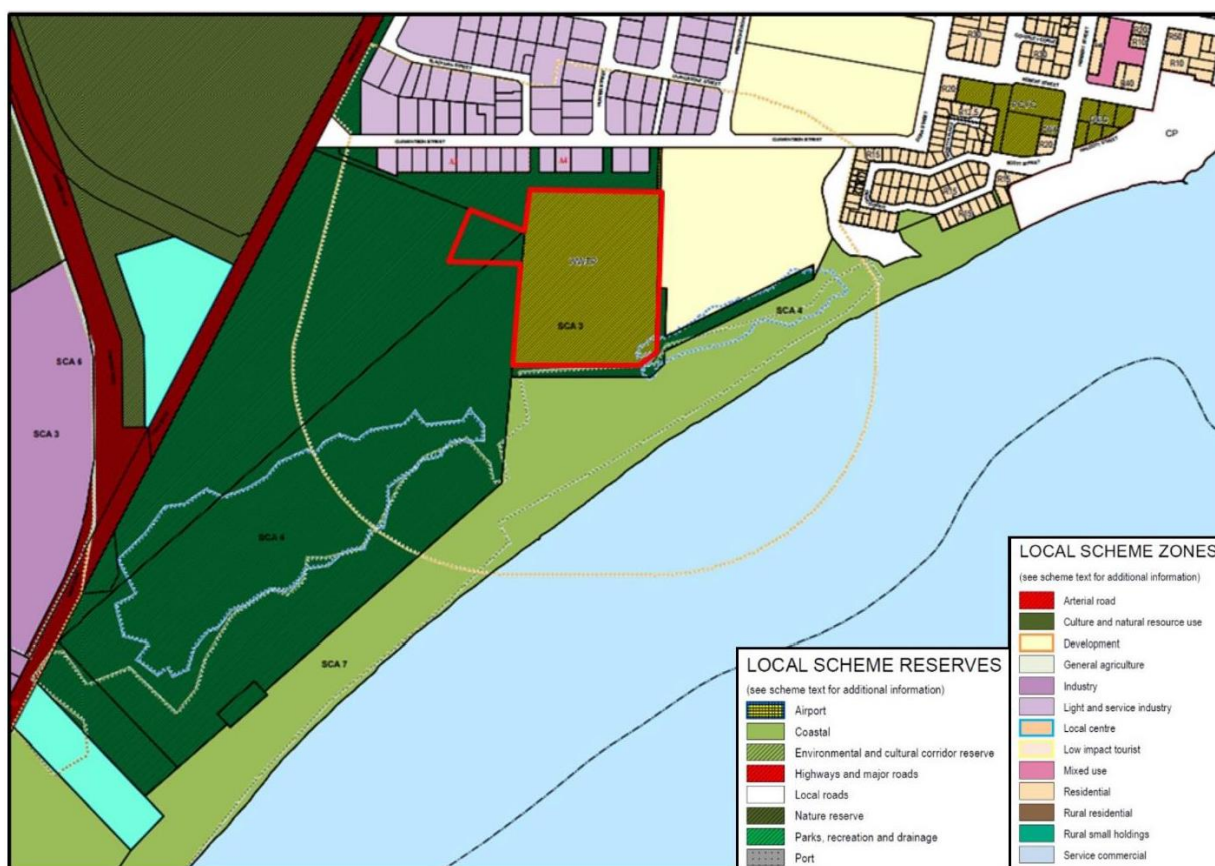


Figure 1: Premises location (red line) and zoning of adjacent lands

3.1.3 Revised water balance

In 2017, three unlined storage ponds (Emergency Ponds 1, 2 and 3), were removed from the formal WWTP process flow via the commissioning of the effluent transfer pump station on the outlet of the final effluent storage pond.

These ponds were retained for emergency purposes, to manage peak flow events and/or maintenance activities only, and mitigate the risk of an uncontrolled loss of wastewater. The emergency ponds have been calculated as having storage volumes of approximately 10 megalitres (ML), 4ML, and 9ML respectively. To allow for the construction of new irrigation tanks at the adjacent Broome Golf Course, Emergency Pond 3 will be decommissioned to make way for the tank pad and tanks to be installed. The construction and use of the new irrigation infrastructure does not meet the definition of a prescribed premises and will not be captured under the Part V licence.

As part of the licence amendment, Water Corporation supplied an updated water balance and management options to ensure the risk of an uncontrolled loss of wastewater during a heavy rainfall event is managed appropriately.

The results of the water balance indicates that the storage ponds will overflow to the emergency ponds for a period of 11 weeks in the year, during the wet season. The discharge from the storage ponds to the emergency ponds is not expected to result in an uncontrolled loss of wastewater for a 10% AEP rainfall event. The likelihood of a significant rainfall event between May and December is considered to be unlikely based on historical rainfall data for the premises. However, should a significant rainfall event occur and an overflow is likely to occur, the Water Corporation has the ability to limit inflows to the WWTP to reduce the likelihood of an overtopping event from occurring.

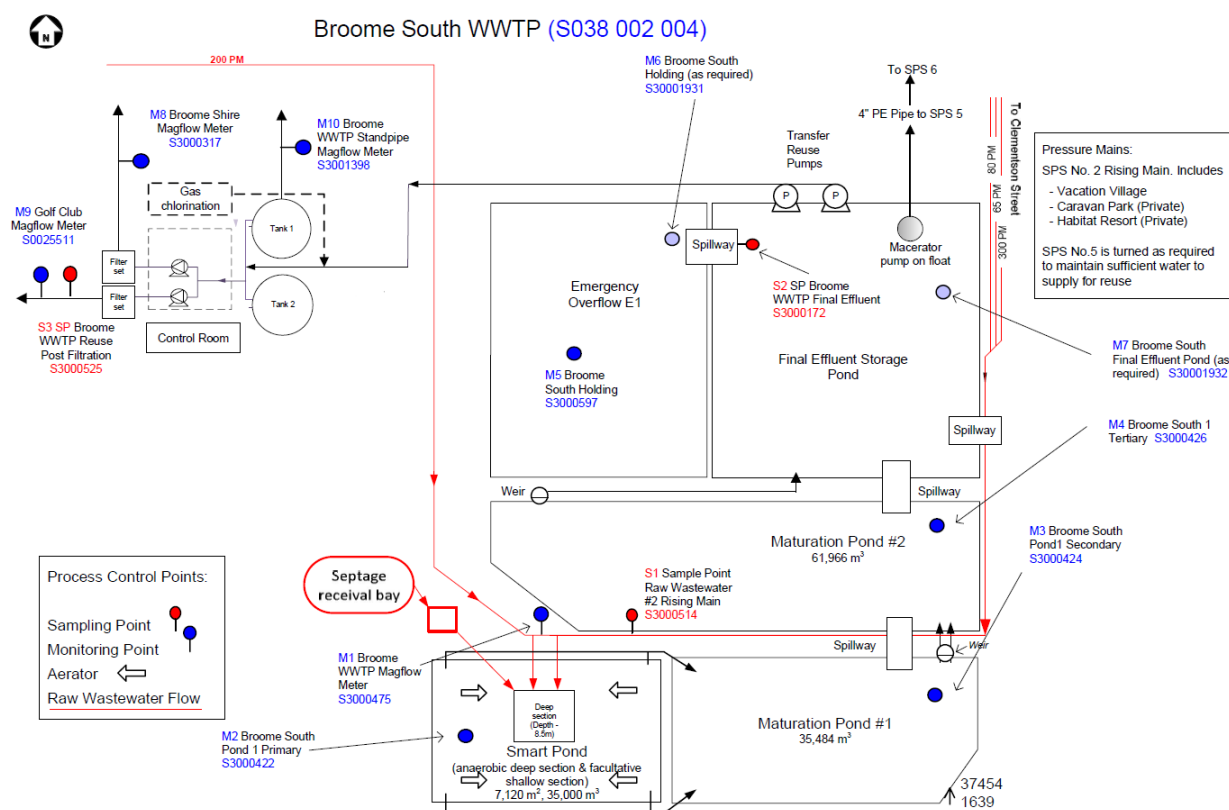


Figure 2: Process flow diagram

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

The Revised Licence L6266/1991/10 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. Category 54 and Category 61 activities.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3. Risk assessment of potential emissions and discharges from the Premises during decommissioning of Emergency Pond 3

| Risk Event | | | | | Risk rating ¹ C = consequence L = likelihood | Licence Holder's controls sufficient? | Conditions ² of licence | Justification for additional regulatory controls |
|---|-------------------------------|--|--|---------------------------|---|---------------------------------------|--|---|
| Source/Activities | Potential emission | Potential pathways and impact | Receptors | Licence Holder's controls | | | | |
| Decommissioning of Emergency Pond 3 Disposal of contaminated soils offsite Vehicle movement Use of machinery and equipment | Dust | Air/windborne pathway causing impacts to health and amenity | Residences located 470 m to the east of the premises. Residences located 600 m northeast of the premises. | Refer to Section 3.1 | C = Minor L = Unlikely Medium Risk | Y | N/A | N/A |
| | Noise | | Broome Vacation Village Caravan Park, located 720 m to the west Light industrial area located immediately north of the premises. | Refer to Section 3.1 | C = Minor L = Possible Medium Risk | Y | N/A | N/A |
| | Litter | | Broome Golf Club located to the immediate west of the premises. Roebuck Bay recreational users located 200 m to the southeast of the premises. | Refer to Section 3.1 | C = Slight L = Unlikely Low Risk | Y | N/A | N/A |
| Discharge to land due to overtopping due to the decommissioning of Emergency Pond 3 Discharge to land during disconnection of Emergency Pond 3 from Broome South WWTP. | Discharge of sewerage to land | Direct discharge/overland flow causing human health impacts. Ecosystem service impacts. | Adjacent lands, being the coastal vegetated strip behind the primary dunes, includes: <i>Corymbia paractia</i> ecological communities. Groundwater discharging into Roebuck Bay marine and intertidal ecosystem (discharge area not known at this time). Surface water discharge to Roebuck Bay. | Refer to Section 3.1 | C = Moderate L = Unlikely Medium Risk | Y | <u>Condition 10, 11, 15, 21</u> | Additional regulatory controls have been added to the licence to require the Licence Holder to limit inflows to the WWTP to reduce the likelihood of an overtopping event from occurring. |
| | | Seepage through soil and within groundwater causing: nutrient loading of soils and | Adjacent lands, being the coastal vegetated strip behind the primary dunes, includes: <i>Corymbia paractia</i> ecological communities. Groundwater discharging into | Refer to Section 3.1 | C = Moderate L = Unlikely Medium Risk | Y | <u>Condition 10, 11, 15, 21</u> | The Delegated Officer considers it appropriate to condition the requirement to undertake validation sampling following the decommissioning of |

| Risk Event | | | | | Risk rating ¹ C = consequence L = likelihood | Licence Holder's controls sufficient? | Conditions ² of licence | Justification for additional regulatory controls |
|---|--------------------|--|---|---------------------------|---|---------------------------------------|------------------------------------|---|
| Source/Activities | Potential emission | Potential pathways and impact | Receptors | Licence Holder's controls | | | | |
| | | groundwater, pore water and marine waters; suppression of ecosystem services; impacts to fauna and flora; contamination of marine ecosystem. | Roebuck Bay marine and intertidal ecosystem (discharge area not known at this time). Surface water discharge to Roebuck Bay. | | | | | Emergency Pond 3 to ensure that remaining organic material does not seep into the underlying aquifer. The groundwater monitoring requirements of the current licence are considered appropriate to identify any release of organics as a result of the pond decommissioning works. |
| Accidental spills or loss of containment Leaks from machinery/vehicles | Chemical spill | Overland flow and infiltration to soil and groundwater causing ecosystem disturbance | Soil profile Groundwater dependent vegetation and beneficial uses of groundwater | Refer to Section 3.1 | C = Minor L = Rare Low Risk | Y | N/A | N/A |

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

| Consultation method | Comments received | Department response |
|--|---|---------------------|
| Local Government Authority advised of proposal on 26 May 2022 | No comments received | N/A |
| Licence Holder was provided with draft amendment on 14 June 2021 | Comments were received on 12 July 2022. | See appendix 1 |

5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments

Table 5 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Table 5: Summary of licence amendments

| Condition no. | Proposed amendments |
|-------------------------|---|
| N/A | Inclusion of new Environmental Compliance Report definitions to the definitions table. |
| Condition 7 Table 5 | Removal of operation requirement for Emergency Pond 3. |
| Condition 8 | Removal of Emergency Pond 3 from the management for extreme rainfall events conditions. |
| Condition 10 | Requirement to limit inflows to the WWTP to reduce the likelihood of an overtopping event from occurring. |
| Condition 11 Table 6 | Decommissioning works for Emergency Pond 3. |
| Condition 15 Table 7 | Updated discharge monitoring points. |
| Condition 21 | Reporting requirements for decommissioning works. |
| Condition 23 Table 9 | Updated numbering. |
| Schedule 1 | Updated process flow diagram. |

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. Water Corporation 2022, *Broome South Wastewater Treatment Plant – Emergency Pond 3 Decommissioning Licence Amendment (L6266/1991/10) Supporting Information*.

Appendix 1: Summary of Licence Holder's comments on risk assessment and draft conditions

| Condition | Summary of Licence Holder's comment | Department's response |
|--|--|--|
| Condition 10 | Amend Condition 10 to remove the requirement to transfer treated effluent to Broome North WWTP. | The condition has been updated. This change does not alter the risk assessment. |
| Condition 21 Environmental compliance report | Submit documents within 90 days not 60 days. Water Corporation seek to alignment the reporting timeframes with other Water Corporation reporting timeframes. | The condition has been updated. This change does not alter the risk assessment. |
| Condition 22 Annual Audit Compliance Report | Water Corporation seek to alignment the reporting timeframes with other Water Corporation reporting timeframes. | The condition has been updated. This change does not alter the risk assessment |
| Condition 23 Annual Environmental Report | Water Corporation seek to alignment the reporting timeframes with other Water Corporation reporting timeframes. | The condition has been updated. This change does not alter the risk assessment |
| Schedule 1 Process flow diagram and monitoring points | Process Flow Diagram in Schedule 1 requires update. Water Corporation sent an updated diagram to DWER on 25 May 2022. | The diagram used in the licence is the diagram supplied to the department on 25 May 2022. No change made |

Appendix 2: Application validation summary

| SECTION 1: APPLICATION SUMMARY | | | | | |
|---|-------------------------------------|--|--|---|-------------------------------------|
| Application type | | | | | |
| Works approval | <input type="checkbox"/> | | | | |
| Licence | <input type="checkbox"/> | Relevant works approval number: | | None | <input type="checkbox"/> |
| | | Has the works approval been complied with? | | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| | | Has time limited operations under the works approval demonstrated acceptable operations? | | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> | |
| | | Environmental Compliance Report / Critical Containment Infrastructure Report submitted? | | Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| | | Date Report received: | | | |
| Renewal | <input type="checkbox"/> | Current licence number: | | | |
| Amendment to works approval | <input type="checkbox"/> | Current works approval number: | | | |
| Amendment to licence | <input checked="" type="checkbox"/> | Current licence number: | | L6266/1991/10 | |
| | | Relevant works approval number: | | N/A | <input checked="" type="checkbox"/> |
| Registration | <input type="checkbox"/> | Current works approval number: | | None | <input type="checkbox"/> |
| Date application received | | 18/02/2022 | | | |
| Applicant and Premises details | | | | | |
| Applicant name/s (full legal name/s) | | Water Corporation | | | |
| Premises name | | Broome South Wastewater Treatment Plant | | | |
| Premises location | | 34 Clementson Street Minyirr WA 6725 Lot 1639 on Plan 184761 and Lot 512 on Plan 409418 | | | |
| Local Government Authority | | Shire of Broome | | | |
| Application documents | | | | | |
| HPCM file reference number: | | DER2014/000608-1~1 | | | |
| Key application documents (additional to application form): | | CS03632 Broome South Wastewater Treatment Plant – Emergency Pond 3 Decommissioning Licence Amendment (L6266/1991/10) Supporting Information – January 2022 | | | |
| Scope of application/assessment | | | | | |

| | | |
|--|---|--|
| Summary of proposed activities or changes to existing operations. | <p>The activities covered by this application for the decommission of Emergency Pond 3 include:</p> <ul style="list-style-type: none"> •Undertake validation of soils within Emergency pond; •Appropriate disposal of any contaminated material at a licenced facility; and •Disconnection of Emergency Pond 3 from Broome South WWTP. | |
| Category number/s (activities that cause the premises to become prescribed premises) | | |
| Table 1: Prescribed premises categories | | |
| Prescribed premises category and description | Production or design capacity | Proposed changes to the production or design capacity |
| Category 54 Sewage facility: premises – (a) On which sewage is treated (excluding septic tanks); or (b) From which treated sewage is discharged onto land or into waters. | 2,000 m3 per day | No changes proposed |
| Category 61 Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated. | 1,000 m3 per annual period | No changes proposed |
| Legislative context and other approvals | | |
| Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | N/A |
| Does the applicant hold any existing Part IV Ministerial Statements relevant to the application? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | N/A: |
| Has the proposal been referred and/or assessed under the EPBC Act? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | N/A |
| Has the applicant demonstrated occupancy (proof of occupier status)? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Previously supplied |
| Has the applicant obtained all relevant planning approvals? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> | Under Section 137 of the Water Services Act 2012, the Water Corporation is exempt from the requirement (under the Planning and Development Act 2005) to obtain development approvals for Public Water Works under a Local Planning Scheme. |
| Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | N/A |

| | | |
|--|---|--|
| Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | No clearing is proposed. |
| Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Licence / permit not required. |
| Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | The premises is located on the Broome Groundwater Area as proclaimed in the RIWI Act 1914 |
| Is the Premises situated in a Public Drinking Water Source Area (PDWSA)? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | N/A |
| Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act xxxx</i>) | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | N/A |
| Is the Premises within an Environmental Protection Policy (EPP) Area? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | N/A |
| Is the Premises subject to any EPP requirements? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | N/A |
| Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | The site was first classified under section 13 of the Act based on information submitted to DWER by January 2007. The site was classified again under section 13 of the Act to reflect additional technical information submitted to DWER by March 2015. The reasons for classification were updated to reflect additional technical information submitted to DWER by May 2018. The site has been reclassified under section 13 of the Act to reflect additional technical information submitted to DWER by May 2019 |