



Application for Licence Amendment

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

Licence Number	L7438/2000/9
Licence Holder	Milne AgriGroup Pty Ltd
ACN	008 919 579
File Number	ILS2014/000017-1
Premises	Milne Feeds 103-105 Welshpool Road WELSHPOOL WA 6106 Legal description – Lots 501 on Diagram 53872, Lot 503 on Diagram 5567 Welshpool Road, and Lot 8 on Diagram 78445 John Street
Date of Report	30 November 2023
Decision	Revised licence granted

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Manager Process Industries
Regulatory Services

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

Table of Contents

1. Decision summary	3
2. Scope of assessment	3
2.1 Regulatory framework	3
2.2 Application summary	3
3. Risk assessment.....	3
3.1 Source-pathways and receptors	4
3.1.1 Emissions and controls	4
3.1.2 Receptors.....	4
3.2 Risk ratings.....	5
4. Consultation	7
5. Decision.....	7
5.1 Summary of amendments.....	7
References.....	8

Table 1: Licence Holder controls.....	4
Table 2: Sensitive human and environmental receptors and distance from prescribed activity.	5
Table 3. Risk assessment of potential emissions and discharges from the Premises during operation.....	6
Table 4: Consultation	7
Table 5: Summary of licence amendments	8

No table of figures entries found.

1. Decision summary

Licence L7438/2000/9 is held by Milne Agrigroup Pty Ltd (Milne, licence holder) for an animal feed manufacturing premise (Milne Feeds), located at 103-105 Welshpool Road, Welshpool (the premises).

This Amendment Report documents the assessment of potential risks to the environment and public health from the proposal to accept and use K200 food and beverage processing wastewater on the premises. As a result of this assessment, Revised Licence L7438/2000/9 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises. The revised licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

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 [DWER Regulatory documents | Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au/government/publications/dwer-regulatory-documents).

2.2 Application summary

On 2 October 2023, the licence holder submitted an application to the department to amend Licence L7438/2000/9 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). Milne are seeking an amendment to add category 61: liquid waste facility onto their operational licence as they propose to accept and utilising K200 food and beverage processing wastewater within their feed manufacturing process, a waste type classified under the Environmental Protection (Controlled Waste) Regulations 2004 (Controlled Waste Regulations).

The wastewater will be delivered to the premises by a licenced controlled waste carrier in standard deliveries of 20,000 litres three to four times a week. This volume of wastewater meets the criteria for a category 61: liquid waste facility under Schedule 1 of the Environmental Protection Regulations 1987 (EP Regulations). The wastewater will be stored in an existing 30,000L steel tank which was previously used for vegetable oil storage. This tank is located within a concrete containment bund with a capacity of 29.8m³, alongside an identical 30,000L steel tank used for vegetable oil storage. Chemical analysis of the wastewater was undertaken, and the wastewater is characterized by a high biological oxygen demand (BOD >5000 mg/L) and high nutrient load.

The applicant obtained approval for the construction of a dedicated waste storage tank for the same purpose on the premises under works approval W6786/2023/1 in June 2023. However, this tank is yet to be installed. As a result, Milne is pursuing this licence amendment to allow for the acceptance and utilisation of wastewater at the premises prior to the construction of the purpose-built storage infrastructure.

3. Risk assessment

The department assesses the risk 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 premises operation which 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
Odour	Transfer of wastewater from truck to storage tank	Air/windborne pathway	<ul style="list-style-type: none"> Stored in an enclosed steel tank located within an existing concrete bund. Tank is equipped with a level indicator connected to a high level visual/audio alarm. Loading pumps feature automatic cut offs if high level is reached within the tank during loading.
	Containment breach of storage tank		
Wastewater high in nutrients and biological oxygen demand (BOD)	Containment breach of storage tank	Overland runoff and/or infiltration causing contamination to soils, shallow groundwater or surface water	<ul style="list-style-type: none"> Rainwater captured within the containment bund will be pumped into the wastewater tank. Spill kits will be kept on premises to recover spills. Inspection of truck on weighbridge prior to entering site. Inspection of truck transfer equipment prior to transfer. Trucks will park in a designated unloading area. Trained staff will be on-site to assist with unloading and have a standby person ready to shut down transfer.
	Spills and leaks during transfer		

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	Approximate distance from prescribed activity (wastewater storage tank)
Immediately adjacent industrial businesses	Nearest business is 120m south west
Residential dwellings (Bentley)	Nearest premises is 750m south east
Bentley Health Service (Hospital)	1,160m south
Environmental receptors	Approximate distance from prescribed activity (wastewater storage tank)
Threatened ecological community	408 m east of a priority 3 banksia woodland of the swan coastal plain
Surface water	320m east of a Water Corporation compensation basin (Ewing St North)
Perth Groundwater Area	Within the designated Perth Groundwater Area. Groundwater is approximately 5 m below ground level.

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 take 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 L7438/2000/9 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. the acceptance of K200 wastewater.

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 operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification	
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls					
Operation									
Liquid waste acceptance and storage.	Transfers and storage	Odour	Air/windborne pathway causing impacts to health and amenity	Surrounding industrial businesses Residential premises ~750m south west	Refer to section 3.1	C = Slight L = Rare Low risk	Y	Existing conditions 2 and 3 New condition 12 Due to the nature of the wastewater, there is a risk of odour causing impacts to surrounding receptors during transfer into the storage tank. Given the applicant's current controls to prevent spillage during transfer and storage, frequency of deliveries being limited to 3-4 times a week on average, and location of the wastewater tank (>120 m east of the nearest industrial receptor), the delegated officer does not reasonably foresee off-site receptors being impacted by odour from the wastewater acceptance, storage or processing. Furthermore, odour emissions are not expected to be significantly different or increasing from the existing odour profile from the animal feed manufacturing process at the premises.	
	Containment breach during transfers or storage (overfilling, spills and/or leaks)	Liquid waste high in nutrients and BOD	Overland runoff and/or infiltration causing contamination of soil, groundwater and/or surface water	Soils and groundwater 5 m below the ground surface Surface water 350m east		C = Minor L = Unlikely Medium Risk	Y		The delegated officer determined that the features of the proposed wastewater storage tank and containment bund adequately control the risk of containment breach. These measures include a completely enclosed tank connected to the mill, high-level sensors equipped with both visual and audible alarms, an automatic pump shutdown system, and the tank being situated within a suitably sized concrete containment bund.
		Odour	Air/windborne pathway causing impacts to health and amenity	Surrounding industrial businesses Residential premises ~750m south west		C = Slight L = Rare Low risk	Y		

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
Adjacent businesses advised of the application on 25 October 2023	None received	N/A
Local Government Authority advised of proposal 25 October 2023	<p>The City of Canning responded on 22 November 2023, a summary of comments is provided below:</p> <ul style="list-style-type: none">Confirmed no development approval is required for this operation.Commented that the site has potentially caused discharges into the environment in the past, therefore ensure all reasonable steps are taken by the business to contain and prevent the waste water from escaping the land (entering the environment).	Noted. The Delegated officer has considered this information in determining to grant this works approval.
Licence Holder was provided with draft amendment on 28 November 2023.	On 30 November 2023 the Licence Holder waived the comment period.	N/A

5. Decision

The delegated officer has determined that the proposal to accept, store and utilise K200 wastewater within the premises feed manufacturing process does not pose an unacceptable risk of impacts to off-site receptors. The delegated officer considers the features of the storage tank and associated containment bund and the existing controls relating to liquid storage requirements to be sufficient to reduce the likelihood of containment breach. As a result, the operational requirements for the storage tank that were specified for canola oil storage, are retained for the storage of wastewater with no additional regulatory controls being imposed.

To authorise the acceptance and storage of K200 wastewater on the premises the licence has been amended to include condition 12 specifying the rate and storage location for the acceptance.

The delegated officer notes that a review of the licence is currently being assessed by the department which will include additional regulatory controls within the scope of the review as well as further administrative updates to the form and appearance of the licence.

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
Cover page	Amended to update format and include Category 61: Liquid waste facility.
12	Condition to authorise the acceptance of K200 food and beverage processing waste into the designated tank at the designated rate.
14, Definitions	Amended outdated Annual Audit Compliance Report condition, removed the form from the licence and added associated definitions
Definitions	Replaced outdated definitions of 'DEC' and 'Director' to 'Department' and 'CEO' respectively.
Definitions	Amended definition of materials to include K200 liquid waste.
Premises map	Updated premises map to indicate wastewater storage tank

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. Milne AgriGroup Pty Ltd (Milne) 2023, Application for a Works Approval under the Environmental Protection Act 1986 (including application form and supporting information), Welshpool, Western Australia