



# Decision Report

## Application for Licence

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

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<b>Licence Number</b>	L9086/2017/1
<b>Applicant</b>	Perth Asphalt Supply Pty Ltd
<b>ACN</b>	618 055 477
<b>File Number</b>	DER2017/001429-1
<b>Premises</b>	Perth Asphalt Supply 6 Allott Way MADDINGTON WA 6109  Legal description - Part of Lot 521 on Plan 40777 Certificate of Title Volume 2560 Folio 13 As defined by the coordinates in Schedule 2 of the Licence
<b>Date of Report</b>	16/09/2020
<b>Decision</b>	Licence granted

Chris Malley  
A/Manager Process Industries  
an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

## Table of Contents

<b>1. Decision summary .....</b>	<b>1</b>
<b>2. Scope of assessment .....</b>	<b>1</b>
2.1 Regulatory framework .....	1
2.2 Application summary and overview of the Premises .....	1
<b>3. Risk assessment.....</b>	<b>1</b>
3.1 Source-pathways and receptors .....	1
3.1.1 Emissions and controls .....	1
<b>4. Consultation .....</b>	<b>3</b>
<b>5. Conclusion .....</b>	<b>3</b>
<b>References .....</b>	<b>4</b>
<b>Appendix 1: Decision Report for Works Approval W6084/2017/1 .....</b>	<b>6</b>

## 1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the operation of the Premises at 6 Allott Way in Maddington. As a result of this assessment, Licence L9086/2017/1 has been granted.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this Decision Report, the Delegated Officer has considered and given due regard to the Department of Water and Environmental Regulation's (the Department) Regulatory Framework and relevant policy documents which are available at <https://www.der.wa.gov.au>.

### 2.2 Application summary and overview of the Premises

Perth Asphalt Supply Pty Ltd (the Applicant) applied for a concurrent licence and works approval application under section 54 of the *Environmental Protection Act 1986* (EP Act) on 27 July 2017.

Works Approval (W6084/2017/1) was granted on 12 February 2018 however, the licence application was put on hold pending completion of the works. On 19 February 2020, the Applicant provided a compliance report, advising that the works have been completed in accordance with Works Approval W6084/2017/1. The Delegated Officer accepted the compliance report.

The Applicant seeks a licence relating to an asphalt manufacturing activities at the Premises. The Premises are located in an industrial area in Maddington and was formerly used for landfilling activities.

The Premises fall under category 35 – Asphalt manufacturing as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The infrastructure and equipment relating to the Premises category and any associated activities, which the Department has considered in line with *Guidance Statement: Risk Assessments* (DER 2017), are outlined in Works Approval W6084/2017/1.

## 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 *Guidance Statement: Risk Assessments* (DER 2017).

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 Decision Report are detailed in Table 1 below. Table 1 also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 1: Proposed applicant controls**

Emission	Sources	Potential pathways	Proposed controls
<b>Operation</b>			
Point source particulate emissions from the asphalt plant stack	Aggregate drying	Air	Particulate emissions from the drying process are directed to a baghouse. Regular inspections and maintenance of baghouse.
Odour/VOC	Asphalt mixing and delivery of the asphalt into trucks	Air	Small scale batch plant rather a continuously operating asphalt plant. Located in an industrial area and shielded by other industrial premises.

The decision to grant a works approval had regard to the assessed risk of emissions and discharges during the operational phase of the asphalt plant. The Applicant tested particulate emissions during the commissioning period and reported levels below the limit specified in the works approval.

The Delegated Officer decided not to reassess the risk of operational phase emissions as there is no information to suggest a potential change in the previously assessed emissions risk profile.

The Works Approval Decision Report is attached as Appendix 1 and sets out the details of the risk assessment during operation of the asphalt plant.

Licence L9086/2017/1 that accompanies this Decision Report authorises emissions associated with the operation of the Premises i.e. asphalt manufacturing.

The conditions in the issued Licence, as outlined in Table 2, have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

**Table 2: Summary of conditions to be applied**

Condition Ref	Grounds
Infrastructure and equipment Condition 1	The condition specifies operational requirements for the asphalt plant to ensure that emissions from the asphalt plant are controlled and do not cause unacceptable impact on neighbouring sensitive receptors.
Emissions and discharges Condition 2 and 3	These conditions specify a single emission point and an emission limit for particulates from that emission point. This is required to provide a defence for these emissions and to control the potential impact of the emissions. The limit for PM of 50 mg/m <sup>3</sup> is derived from the limit for particulates for concrete batching plants as per the <i>Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998</i> . As the technology for emission control is the same, a baghouse, and the limit provides in general terms sufficient protection, the Delegated Officer believes this limit is appropriate for the Premises.

Condition Ref	Grounds
Condition 4	This condition is aimed at ensuring that the Applicant manages fugitive dust from stockpiles and road surfaces so that dust does not get blown off the Premises and causes a nuisance for the neighbours.
Monitoring Conditions 5 - 7	An annual stack test for the emissions from the asphalt plant is required to demonstrate compliance with the discharge limit and that the asphalt plant and the baghouse are operating effectively. The parameters for which testing is required are in line with other asphalt plants.
Record-keeping and reporting Conditions 8 - 13	These conditions are needed to allow the Department to review the Applicant's performance against the Licence conditions.

DWER notes that it may review the appropriateness and adequacy of controls at any time and that, following a review, DWER may initiate amendments to the Licence under the EP Act.

## 4. Consultation

Table 3 provides a summary of the consultation undertaken by the department.

**Table 3: Consultation**

Consultation method	Comments received	Department response
Local Government Authority advised of proposal (22 September 2017)	The City of Gosnells referred application to Department of Health (DoH)	DWER considered DoH advice provided to City of Gosnells during works approval assessment.
Application was advertised on 25 September 2017	No comments were received.	N/A
Applicant was provided with draft documents on 17 August 2020	No comments were received.	N/A

## 5. Conclusion

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

Chris Malley

A/Manager, Process Industries

Delegated Officer under section 20 of the *Environmental Protection Act 1986*

## References

Department of Environment Regulation (DER) 2016, *Guidance Statement: Environmental Siting*, Perth, Western Australia.

DER 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.

DER 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.

## Appendix 3: Decision Report for Works Approval W6084/2017/1

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