Government of Western Australia
Department of Water and Environmental Regulation

Licence

Licence Number	L9047/2016/1
Licence Holder	Enviroclean (Victoria) Pty Ltd
ACN	144 794 347
Registered business address	31 Fontana Road ROSA GLEN WA 6285
File Number	DER2017/000486
Duration	2/8/2018 to 1/8/2038
Date of issue	2/8/2018

This Licence is granted to the Licence Holder, subject to the following conditions, on 1 August 2018, by:

Date signed: 2 August 2018

Caron Goodbourn
ACTING MANAGER, PROCESS INDUSTRIES
an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Explanatory notes

These explanatory notes do not form part of this Licence.

Defined terms

Definition of terms used in this Licence can be found at the end of this Licence. Terms which are defined have the first letter of each word capitalised throughout this Licence.

Department of Water and Environmental Regulation

The Department of Water and Environmental Regulation (DWER) is 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 *Environmental Protection Act 1986* (WA) (EP Act). The Department also monitors and audits compliance with licences, takes enforcement action and develops and implements licensing and industry regulation policy.

Licence

Section 56 of the EP Act provides that an occupier of Prescribed Premises commits an offence if Emissions are caused or increased, or permitted to be caused or increased, or Waste, noise, odour or electromagnetic radiation is altered, or permitted to be altered, from Prescribed Premises, except in accordance with a works approval or licence.

Categories of Prescribed Premises are defined in Schedule 1 of the *Environment Protection Regulations 1987* (WA) (EP Regulations).

This Licence does not authorise any activity which may be a breach of the requirements of another statutory authority including, but not limited to the following:

- conditions imposed by the Minister for Environment under Part IV of the EP Act;
- conditions imposed by DWER for the clearing of native vegetation under Part V, Division 2 of the EP Act;
- any requirements under the *Waste Avoidance and Resource Recovery Act 2007;*
- any requirements under the *Environmental Protection (Controlled Waste) Regulations 2004*; and
- any other requirements specified through State legislation.

It is the responsibility of the Licence Holder to ensure that any action or activity referred to in this Licence is permitted by, and is carried out in compliance with, other statutory requirements.

The Licence Holder must comply with the Licence. Contravening a Licence Condition is an offence under s.58 of the EP Act.

Responsibilities of a Licence Holder

Separate to the requirements of this Licence, general obligations of Licence Holders are set out in the EP Act and the regulations made under the EP Act. For example, the Licence Holder must comply with the following provisions of the EP Act:

- the duties of an occupier under section 61; and
- restrictions on making certain changes to Prescribed Premises unless the changes are in accordance with a works approval, Licence, closure notice or environmental protection notice (s.53).

Strict penalties apply for offences under the EP Act.

Reporting of incidents

The Licence Holder has a duty to report to DWER all discharges of waste that have caused or are likely to cause Pollution, Material Environmental Harm or Serious Environmental Harm, in accordance with s.72 of the EP Act.

Offences and defences

The EP Act and its regulations set out a number of offences, including:

- Offence of emitting an Unreasonable Emission from any Premises under s.49.
- Offence of causing Pollution under s.49.
- Offence of dumping Waste under s.49A.
- Offence of discharging Waste in circumstances likely to cause Pollution under s.50.
- Offence of causing Serious Environmental Harm (s.50A) or Material Environmental Harm (s.50B).
- Offence of causing Emissions which do not comply with prescribed standards (s.51).
- Offences relating to Emissions or Discharges under regulations prescribed under the EP Act, including materials discharged under the *Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA).*
- Offences relating to noise under the *Environmental Protection (Noise) Regulations 1997 (WA).*

Section 53 of the EP Act provides that a Licence Holder commits an offence if Emissions are caused, or altered from a Prescribed Premises unless done in accordance with a Works Approval, Licence or the requirements of a Closure Notice or an Environmental Protection Notice.

Defences to certain offences may be available to a Licence Holder and these are set out in the EP Act. Section 74A(b)(iv) provides that it is a defence to an offence for causing Pollution, in respect of an Emission, or for causing Serious Environmental Harm or Material Environmental Harm, or for discharging or abandoning Waste in water to which the public has access, if the Licence Holder can prove that an Emission or Discharge occurred in accordance with a Licence.

This Licence specifies the Emissions and Discharges, and the limits and Conditions which must be satisfied in respect of Specified Emissions and Discharges, in order for the defence to offence provision to be available.

Authorised Emissions and Discharges

The Specified and General Emissions and Discharges from Primary Activities conducted on the Prescribed Premises are authorised to be conducted in accordance with the Conditions of this Licence.

Emissions and Discharges caused from other activities not related to the Primary Activities at the Premises have not been conditioned in this Licence. Emissions and Discharges from other activities at the Premises are subject to the general provisions of the EP Act.

Amendment of licence

The Licence Holder can apply to amend the Conditions of this Licence under s.59 of the EP Act. An application form for this purpose is available from DWER.

The CEO may also amend the Conditions of this Licence at any time on the initiative of the CEO without an application being made.

Amendment Notices constitute written notice of the amendment in accordance with s.59B(9) of the EP Act.

Duration of Licence

The Licence will remain in force for the duration set out on the first page of this Licence or until it is surrendered, suspended or revoked in accordance with s.59A of the EP Act.

Suspension or revocation

The CEO may suspend or revoke this Licence in accordance with s.59A of the EP Act.

Fees

The Licence Holder must pay an annual licence fee. Late payment of annual licence fees may result in the licence ceasing to have effect. A licence that has ceased to have effect due to non-payment of annual licence fees continues to exist; however, it ceases to provide a defence to an offence under s.74A of the EP Act.

Late fees are a component of annual licence fees and should a Licence Holder fail to pay late fees within the time specified the licence will similarly cease to have effect.

Definitions and interpretation

Definitions

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

Table 1: Definitions

Term	Definition
Books	has the same meaning given to that term under the EP Act.
ACN	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
Compliance Report	means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO (guidelines and templates may be available on the Department's website).
Amendment Notice	means an amendment granted under s.59 of the EP Act in accordance with the procedure set out in s.59B of the EP Act.
Annual Period	means a 12 month period commencing from 1 July until 30 June of the following year.
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
Department	means the department established under s.35 of the *Public Sector Management Act 1994* and designated as responsible for the administration of Part V, Division 3 of the EP Act.
Department Request	means a request for Books or other sources of information to be produced, made by an Inspector or the CEO to the Licence Holder in writing and sent to the Licence Holder's address for notifications, as described at the front of this Licence, in relation to: (a) compliance with the EP Act or this Licence; (b) the Books or other sources of information maintained in accordance with this Licence; or (c) the Books or other sources of information relating to Emissions from the Premises.
Discharge	has the same meaning given to that term under the EP Act.
DWER	Department of Water and Environmental Regulation As of 1 July 2017, The Department of Environment Regulation (DER). The

	Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation.
EP Act	means the *Environmental Protection Act 1986* (WA).
EP Regulations	means the *Environmental Protection Regulations 1987* (WA).
IBC	means Intermediate Bulk Container
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
Licence	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.
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.
Material Change	means a change to the activities carried out on the Premises and that may result in an increased risk to public health, amenity or the environment..
Premises	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.
Solvent	Narrow cut kerosene
Waste Solvent	A mixture of narrow cut kerosene, oil, water and a small amount of other contaminants recovered from parts washing machines

Interpretation

In this Licence:

(a) the words ‘including’, ‘includes’ and ‘include’ will be read as if followed by the words ‘without limitation’;

(b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;

(c) where tables are used in a Condition, each row in a table constitutes a separate Condition;

(d) any reference to an Australian or other standard, guideline or code of practice in this Licence means the version of the standard, guideline or code of practice in force at the time of granting of this Licence and includes any amendments to the standard, guideline or code of practice which may occur from time to time during the course of the Licence; and

(e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act.

Conditions

Specified Actions

1. The Licence Holder shall only accept waste on to the Premises if:

(a) it is of a type listed in Table 2

(b) the quantity accepted is below any quantity limit listed in Table 2 and;

(c) meets any specifications listed in Table 2

Table 2: Waste Acceptance Criteria

Waste acceptance			
Waste type	**Quantity limit Kilolitres per annual period)**	**Description**	**Specification**
Waste Solvent	60	Stored in 1 Kilolitre IBCs or smaller containers	None specified

2. The Licence Holder shall immediately remove and dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).

3. The Licence Holder shall ensure that not more than 60 Kilolitres in total of solvent and waste solvent is stored on the premises at any one time.

Emissions

4. The Licence Holder must not cause any Emissions from the Primary Activities on the Premises except for specified Emissions and general Emissions described in Column 1 of Table 3 subject to the exclusions, limitations or requirements specified in Column 2 of Table 3.

Table 3: Authorised Emissions table

Column 1	**Column 2**
Emission type	**Exclusions/Limitations/Requirements**
General Emissions (excluding Specified Emissions)	
Emissions which: • arise from the Primary Activities set out in Schedule 2; or	Emissions excluded from General Emissions are: • Unreasonable Emissions; or • Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or • Discharges of Waste in circumstances likely to cause Pollution; or • Emissions that result, or are likely to result in, the Discharge or abandonment of Waste in water to which the public has access; or • Emissions or Discharges which do not comply with an Approved Policy; or • Emissions or Discharges which do not comply with a prescribed standard; or • Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or • Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the Environmental *Protection (Unauthorised Discharges) Regulations 2004*.

Infrastructure and Equipment

5. The Licence Holder must ensure that the infrastructure and equipment specified in Column 1 of Table 4 is maintained in good working order and operated in accordance with the requirements specified in Column 2 of Table 4.

Table 4: Infrastructure and equipment controls table

Column 1	Column 2
Site infrastructure and equipment	**Operational requirements**
Distillation Unit	1. The Licence Holder shall maintain and operate the steam distillation equipment so as not to cause odours which are detected outside the building. 2. The licence holder shall ensure that if the distillation equipment emits odours which are detected outside the building, production will immediately cease.
Chiller unit	The Licence holder shall ensure that the chiller unit is operating whenever the distillation unit is operating.
Solvent storage Bunding	The licence holder shall ensure that all solvent and liquid wastes are stored within the storage bund.
Building bund at entrances to the building	The Licence Holder to maintain the building bunds to prevent escape of liquids
Chemical Storage area	The Licence Holder shall ensure that the chemical storage area is maintained free of spilt chemicals and other combustible materials.

Information

6. The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:

(a) the calculation of fees payable in respect of this Licence;

(b) a monthly summary of waste solvent received at the premises and clean solvent dispatched from the premises;

(c) complaints received under Condition 7 of this Licence.

In addition, the Books must:

(d) be legible;

(e) if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;

(f) be retained for at least 3 years from the date the Books were made; and

(g) be available to be produced to an Inspector or the CEO.

7. The Licence Holder must record the number and details of any complaints received by the Licence Holder relating to its obligations under this Licence and its compliance with Part V of the EP Act at the Premises, and any action taken by the Licence Holder in response to the complaint. Details of complaints must include:

(a) an accurate record of the concerns or issues raised, for example a copy of any written complaint or a written note of any verbal complaints made;

(b) the name and contact details of the complainant, if provided by the complainant;

(c) the date of the complaint; and

(d) the details and dates of the actions taken by the Licence Holder in response to the complaints.

8. The Licence Holder must submit to the CEO, no later than 28 July, a Compliance Report indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the preceding Annual Period.

9. The License Holder must submit to the CEO no later than 28 July, an Annual Environmental Report. The Annual Environmental Report must include:

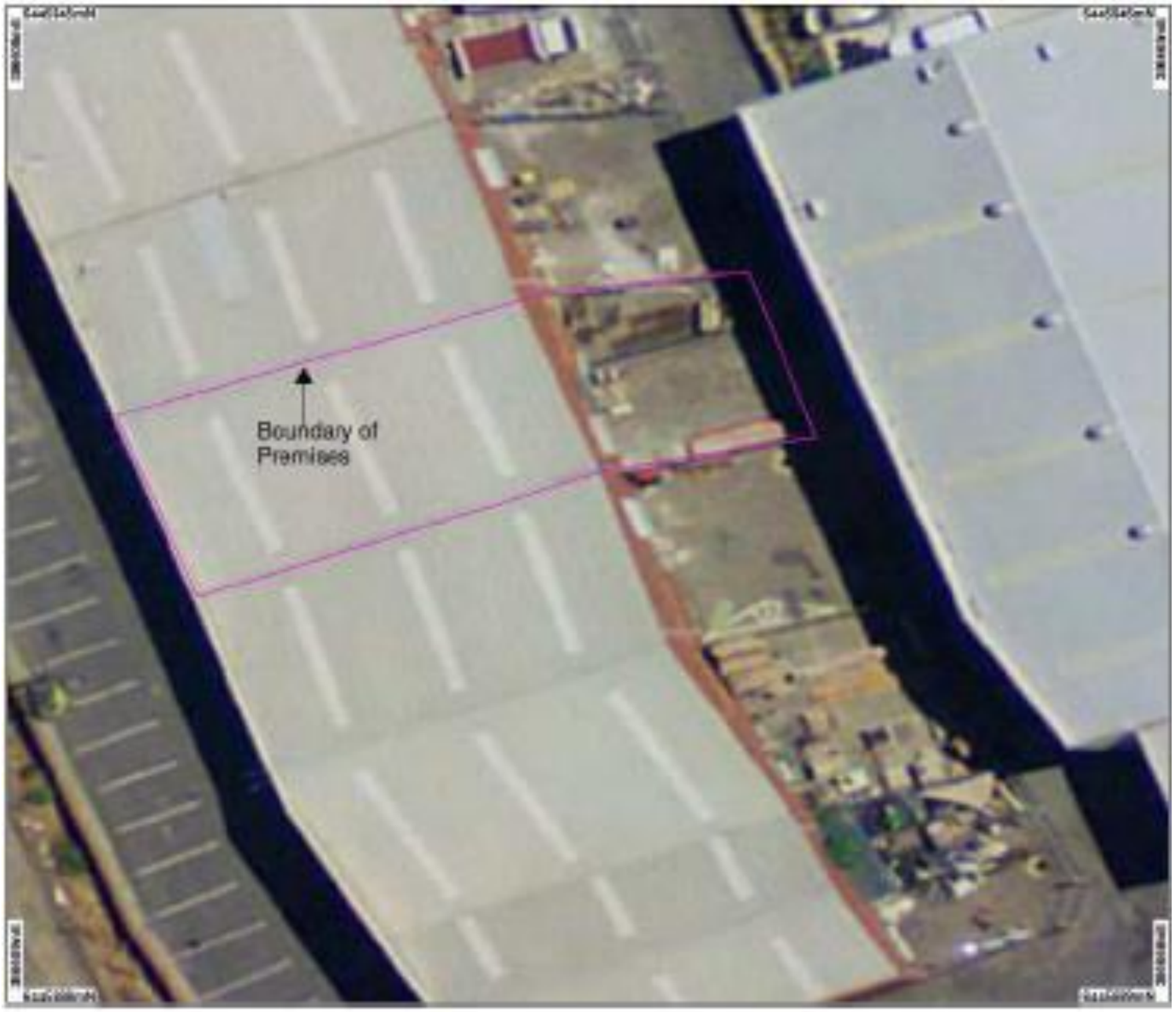
(a) the monthly summary required by Condition 9 (b); and;
(b) a summary of complaints data recorded in accordance with Condition 10

10. The Licence Holder must comply with a Department Request, within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.

Schedule 1: Maps

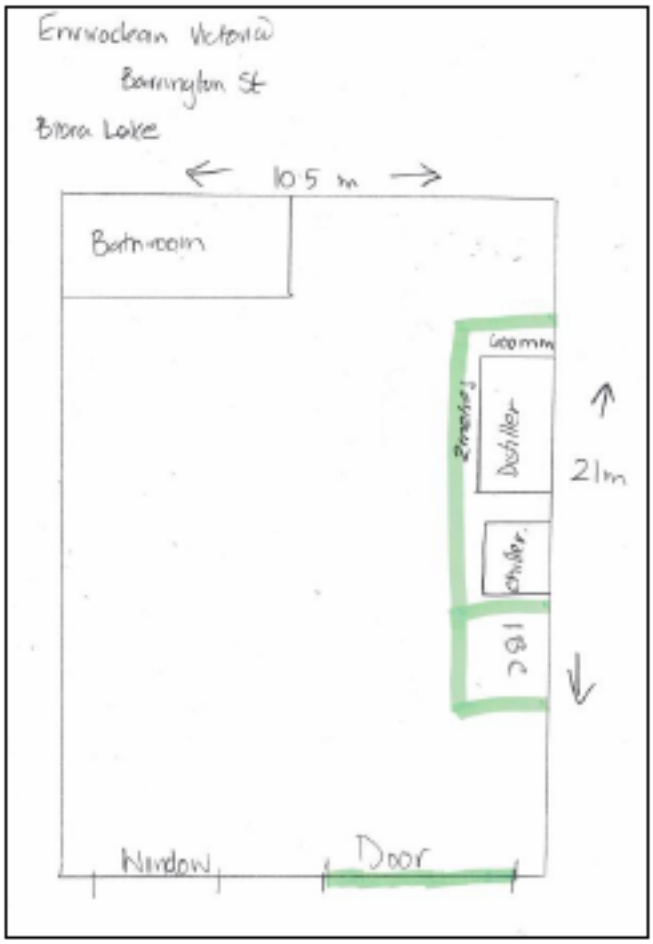
Premises map

The Premises are shown in the map below.



Site Plan

The Site Plans are shown in the following plans with bunding indicated by green line:



Schedule 2: Primary Activities

At the time of assessment, Emissions and Discharges from the following Primary Activities were considered in the determination of the risk and related Conditions for the Premises.

The Primary Activities are listed in Table 5:

Table 5: Primary Activities

Primary Activity	Premises production or design capacity
Category 39 - Chemical or oil recycling: premises on which waste liquid hydrocarbons or chemicals are refined, purified, reformed, separated or processed.	< 60 000 litres per year

Decision Report

Application for Licence

Division 3, Part V *Environmental Protection Act 1986*

Licence Number	L9047/2016/1
Applicant:	Enviroclean (Victoria) PTY LTD
ACN:	144 794 347
File Number:	DER2017/000486
Premises:	Enviroclean Bibra Lake Solvent Recycling Facility Unit 6/125-127 Barrington Street BIBRA LAKE WA 6163 Lot 6 on Strata Plan 43743 Being Part Lot 52 on Plan 27970
Date of Report	2 August 2018
Status of Report	Final

Table of Contents

1. Definitions of terms and acronyms

In this Decision Report, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
Category/ Categories/ Cat.	Categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CS Act	*Contaminated Sites Act 2003* (WA)
Decision Report	refers to this document.
Delegated Officer	an officer under section 20 of the EP Act.
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	Department of Water and Environmental Regulation As of 1 July 2017, the Department of Environment Regulation (DER), the Office of the Environmental Protection Authority (OEPA) and the Department of Water (DoW) amalgamated to form the Department of Water and Environmental Regulation (DWER). DWER was established under section 35 of the *Public Sector Management Act 1994* and is responsible for the administration of the *Environmental Protection Act 1986* along with other legislation.
EPA	Environmental Protection Authority
EP Act	*Environmental Protection Act 1986* (WA)
EP Regulations	*Environmental Protection Regulations 1987* (WA)
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Cth)
Licence Holder	Enviroclean (Victoria) Pty Ltd
m^3	cubic metres
NEPM	National Environmental Protection Measure
Noise Regulations	*Environmental Protection (Noise) Regulations 1997* (WA)
PM	Particulate Matter
PM_{10}	used to describe particulate matter that is smaller than 10 microns (µm) in diameter

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 *Guidance Statement: Risk Assessment*
UDR	*Environmental Protection (Unauthorised Discharges) Regulations 2004* (WA)
µg/m^3	micrograms per cubic metre
µg/L	micrograms per litre

2. Purpose and scope of assessment

This assessment has been conducted as a result of an application for a licence by Enviroclean (Victoria) PTY LTD (the Applicant) to operate the Bibra Lake Solvent Recycling Facility (SRF). The application relates to operation of chemical storage areas and distilling equipment within an existing building. The site has not previously been a prescribed premises under the EP Act.

Construction was completed under works approval W6105/2016/1 and a compliance certificate was received by the Department on 25 June 2018.

2.1 Application details

The application and supporting information was lodged on 3 April 2017.

Documents that form the application are listed in Appendix 1.

3. Background

The SRF is used to clean kerosene from parts washing machines that the Applicant leases to workshops and factories. The waste kerosene collected from the client's premises and replaced with clean solvent. The waste kerosene is then returned to the distillery for processing.

The Applicant constructed a facility with the capacity to recycle up to 80 litres/hour of solvent. The Delegated Officer has determined that *Category 39: Chemical or oil recycling* applies to the proposed activities in the site.

A description of the prescribed premises category which applies to this application, as defined in Schedule 1 of the *Environmental Protections Regulations 1987*, is presented in Table 2

Table 2: Prescribed Premises Category

Classification of Premises	**Description**	***Production or design capacity (as per application)***	***Schedule 1 Category Threshold***
Category 39	Chemical or oil recycling: premises on which waste liquid hydrocarbons or chemicals are refined, purified, reformed, separated or processed.	60 000 litres per year	Not Applicable

4. Overview of Premises

4.1 Operational aspects

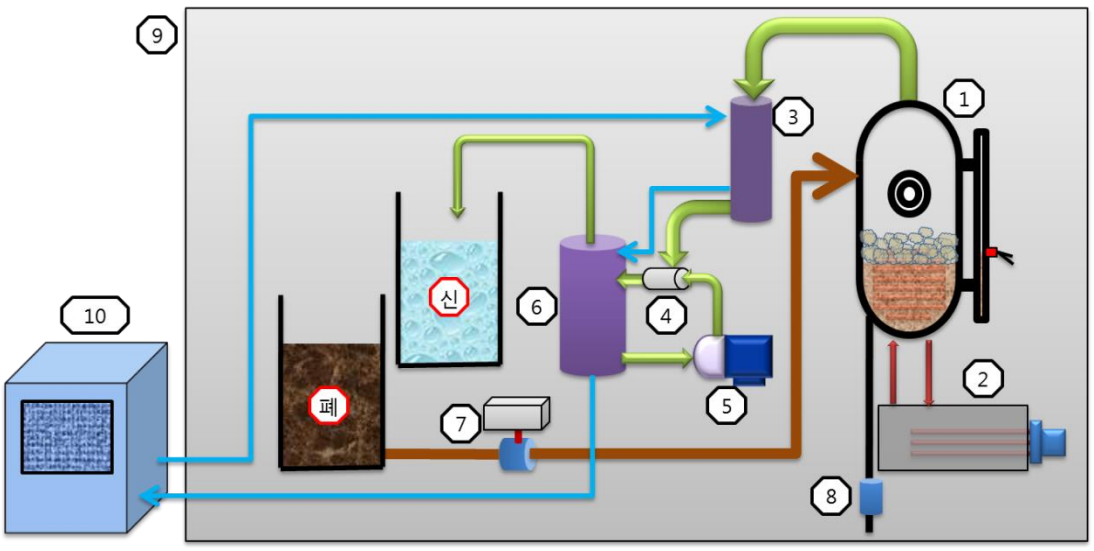
Waste solvent in the form of narrow cut kerosene, also called degreaser, is distributed and retrieved to and from parts washing machines in workshops and garages around the state.

Used solvent is returned to the SRF and transferred via a vacuum system into IBC's located inside the factory unit.

The solvent is transferred from an IBC into the distillation unit and heated to evaporation by a hot water heating coil. It is then recovered as clean solvent for distribution by truck to customers with parts washing machines. Configuration of the distillation unit is shown in Figure 1.

The residue consists of oil and solids from parts washing which may contain hydrocarbons and metals. The oil is collected in another IBC which is then picked up by a licensed oil recycler. Any solid wastes generated are removed off-site for disposal at a licensed waste facility.

Figure 1: Distillation Equipment Configuration



1. Distillation Tank: Evaporating waste liquid and collecting all waste oil
2. Heat Exchange Device: Electric Heaters, Steam Coil Heat Exchanger
3. Condensate Tank: The device liquefying the steam primarily
4. Vacuum Generator: Vapour-absorbing device
5. Vacuum Generation pump: Circulating the liquid to generate a vacuum
6. Circulation Tank: The tank collecting all distillate
7. Automatic Valve: The waste water is supplied by vacuum
8. Waste Oil Drain Valve: After operating, the collected wasted oil is discharged
9. Enclosure:
10. Freezer: Chiller

Source: From application supporting documentation.

4.2 Infrastructure

The SRF infrastructure, as it relates to Category 39 activities, is detailed in Table 3 and with reference to the Site Plan (attached in Schedule 1 of the Licence).

Table 3 lists infrastructure associated with each prescribed premises category.

Table 3 Infrastructure for Bibra Lake SRF

	Infrastructure
	Prescribed Activity Category 39
Kerosene from parts washing machines is stored and distilled on site for redistribution.	
1	Existing enclosed factory unit
2	Existing Concrete Hardstand inside the unit
3	Distillation Unit

	Infrastructure
4	Chiller Unit
5	Bund(s) to contain distillation unit and solvent storage area
6	Bund at entrance to the unit
7	Chemical storage area

5. Legislative context

5.1 Contaminated sites

The Premises is not registered as a contaminated site under the *Contaminated Sites Act 2003.*

5.2 Other relevant approvals

5.2.1 Planning approvals

The application for works approval was referred to the City of Cockburn on 23 February 2017.

The City of Cockburn advised the applicant and DER by email 30 March 2017 that the applicant needed to apply for a Change of Use before they could progress application.

The City of Cockburn Council approved the change of use to solvent recycling on 9 November 2017 under Development Approval DA17/06476000600. The Development Approval was granted to the owners of the property with whom the Applicant has a lease agreement.

The Development Approval has several conditions including the requirement that storage of waste chemicals on site be limited to 3 IBC's which is equivalent to 3 000 litres.

5.3 Part V of the EP Act

5.3.1 Works approval and licence history

Table 4 summarises the works approval and licence history for the premises.

Table 4: Works approval and licence history

Instrument	Issued	Nature and extent of works approval, licence or amendment
W6015/2016/1	8/12/2017	Works approval to construct facility

6. Consultation

DWER referred the application on 23 February 2017 to the City of Cockburn as the Delegated Officer considered that they have a direct interest in the application.

The application was publically advertised in *The West Australian* newspaper and on the DWER website on 27 February 2017. No third party submissions were received.

7. Location and siting

7.1 Siting context

The proposed location is in a factory unit in industrial zoned land in the suburb of Bibra Lake. The surrounding businesses are all industrial.

7.2 Residential and sensitive Premises

The distances to residential and sensitive receptors are detailed in Table 5.

Table 5: Receptors and distance from activity boundary

Sensitive Land Uses	Distance from Prescribed Activity
Residential Premises	The nearest residential premises are 470 metres west and 490 metres south west.

7.3 Specified ecosystems

Specified ecosystems are areas of high conservation value and special significance that may be impacted as a result of activities at, or Emissions and Discharges from, the Premises. The distances to specified ecosystems are shown in Table 6. Table 6 also identifies the distances to other relevant ecosystem values which do not fit the definition of a specified ecosystem.

Table 6 has been modified to align with the *Guidance Statement: Environmental Siting.*

Table 6: Environmental values

Specified ecosystems	Distance from the Premises
There are no specified ecosystems within 1 kilometre of the premises.	Not Applicable
Other relevant ecosystem values	**Distance from the Premises**
Unconfirmed Carnaby's Cockatoo feeding areas	350 metres to west

7.4 Groundwater and water sources

The distances to groundwater and water sources are shown in Table 7.

Table 7: Groundwater and water sources

Groundwater and water sources	Distance from Premises	Environmental value
The nearest surface water body is a perennial lake in Smart Park, Spearwood.	1 000 metres	Recreation and conservation. No pathway for contamination from the premises.
Groundwater is marginally saline (500 to 1000 mg/L TDS)	The depth to water table is 30.5 metres.	Water is suitable for use for parks and garden irrigation with little iron stain risk.

7.5 Soil type

The DWER GIS layer describes the soil as undulating dune type with aeolianite at depth. Chiefly brown sands and siliceous sands. The DWER Groundwater Atlas describes the surface geology as Tamala Limestone consisting of calcarenite and leached quartz sand.

8. Risk assessment

8.1 Determination of emission, pathway and receptor

In undertaking its risk assessment, DWER will identify all potential emissions pathways and potential receptors to establish whether there is a Risk Event which requires detailed risk assessment.

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. Where there is no actual or likely pathway and/or no receptor, the emission will be screened out and will not be considered as a Risk Event. In addition, where an emission has an actual or likely pathway and a receptor which may be adversely impacted, but that emission is regulated through other mechanisms such as Part IV of the EP Act, that emission will not be risk assessed further and will be screened out through Table 8.

The identification of the sources, pathways and receptors to determine Risk Events are set out in Table 9 and Table 10 below.

Table 8: Identification of key emissions during operation

			Potential Emissions	Potential Receptors	Potential Pathway	Potential Impacts	Continued to detailed risk assessment?	Reasoning
Source (see Section 9 for infrastructure references)	**Receipt, storage and handling of solvents**	Transfer of solvents to and from tanker vehicle inside the building	Odour	The nearest residential property is 470 metres away. Factory units are located immediately adjacent the premises.	Air / wind dispersion	Reduction in amenity	Yes	See 8.5
			Spills of liquid solvent	The nearest residential	Discharge to land	Contamination of land and		

			Potential Emissions	Potential Receptors	Potential Pathway	Potential Impacts	Continued to detailed risk assessment?	Reasoning
			waste	property is 470 metres away. Factory units are located immediately adjacent the premises. Council stormwater drainage possibly connected to waterways and land Depth to groundwater is approximately 30.5 metres	via stormwater	water. Potential human exposure causing health effects in nearby factory units	Yes	See 8.4
		Storage of solvent (kerosene) within existing shed						
	Distillation	Evaporation and condensation of solvent in hot water still- located within enclosed shed	Odour	The nearest residential property is 470 metres away. Factory units are located immediately adjacent the premises.	Air / wind dispersion	Reduction in amenity	Yes	See 8.5
	Solid and liquid waste	Liquid oily waste from still- located within bunded area inside enclosed shed	Spills of liquid oily waste	Depth to groundwater is approximately 30.5 metres Council stormwater drainage connected to aquatic ecosystems and land	Discharge to land via stormwater	Contamination of land affecting current and future activities on site or requiring clean up to meet prescribed standards. Degradation of aquatic ecosystems.	Yes	See 8.4
		Solid residue containing hydrocarbons and metals from still located in enclosed shed	Spills of environmentally hazardous material	Depth to groundwater is approximately 30.5 metres Council stormwater drainage connected to aquatic ecosystems and land	none identified	Contamination of land affecting current and future activities on site or requiring clean up to meet prescribed standards. Degradation of aquatic ecosystems.	No	Given the site infrastructure, detailed in W6015/2016/1, spills of solid residue are unlikely to impact on receptors. There is no identified pathway for impacts to occur.

8.2 Consequence and likelihood of risk events

A risk rating will be determined for risk events in accordance with the risk rating matrix set out in Table 9 below.

Table 9: Risk rating matrix

Likelihood	Consequence				
	Slight	Minor	Moderate	Major	Severe
Almost certain	Medium	High	High	Extreme	Extreme
Likely	Medium	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Medium	Medium	Medium	High
Rare	Low	Low	Medium	Medium	High

DWER will undertake an assessment of the consequence and likelihood of the Risk Event in accordance with Table 10 below.

Table 10: Risk criteria table

Likelihood		**Consequence**		
The following criteria has been used to determine the likelihood of the Risk Event occurring.		**The following criteria has been used to determine the consequences of a Risk Event occurring:**		
			Environment	**Public health* and amenity (such as air and water quality, noise, and odour)**
Almost Certain	The risk event is expected to occur in most circumstances	Severe	• **onsite impacts**: catastrophic • **offsite impacts local scale**: high level or above • **offsite impacts wider scale:** mid-level or above • Mid to long-term or permanent impact to an area of high conservation value or special significance^ • Specific Consequence Criteria (for environment) are significantly exceeded	• Loss of life • **Adverse health effects:** high level or ongoing medical treatment • Specific Consequence Criteria (for public health) are significantly exceeded • **Local scale impacts:** permanent loss of amenity
Likely	The risk event will probably occur in most circumstances	Major	• **onsite impacts**: high level • **offsite impacts local scale**: mid-level • **offsite impacts wider scale**: low level • Short-term impact to an area of high conservation value or special significance^ • Specific Consequence Criteria (for environment) are exceeded	• **Adverse health effects:** mid-level or frequent medical treatment • Specific Consequence Criteria (for public health) are exceeded • **Local scale impacts**: high level impact to amenity
Possible	The risk event could occur at some time	Moderate	• **onsite impacts**: mid-level • **offsite impacts local scale**: low level • **offsite impacts wider scale**: minimal • Specific Consequence Criteria (for environment) are at risk of not being met	• **Adverse health effects:** low level or occasional medical treatment • Specific Consequence Criteria (for public health) are at risk of not being met • **Local scale impacts:** mid-level impact to amenity
Unlikely	The risk event will probably not occur in most circumstances	Minor	• **onsite impacts**: low level • **offsite impacts local scale**: minimal • **offsite impacts wider scale**: not detectable • Specific Consequence Criteria (for environment) likely to be met	• Specific Consequence Criteria (for public health) are likely to be met • **Local scale impacts:** low level impact to amenity
Rare	The risk event may only occur in exceptional circumstances	Slight	• **onsite impact**: minimal • Specific Consequence Criteria (for environment) met	• **Local scale**: minimal to amenity • Specific Consequence Criteria (for public health) met

^ Determination of areas of high conservation value or special significance should be informed by the *Guidance Statement: Environmental Siting.*

* In applying public health criteria, DWER may have regard to the Department of Health's *Health Risk Assessment (Scoping) Guidelines.*

"onsite**"** means within the Prescribed Premises boundary.

8.3 Acceptability and treatment of Risk Event

DWER will determine the acceptability and treatment of Risk Events in accordance with the Risk treatment Table 11 below:

Table 11: Risk treatment table

Rating of Risk Event	Acceptability	Treatment
Extreme	Unacceptable.	Risk Event will not be tolerated. DWER may refuse application.
High	May be acceptable. Subject to multiple regulatory controls.	Risk Event may be tolerated and may be subject to multiple regulatory controls. This may include both outcome-based and management conditions.
Medium	Acceptable, generally subject to regulatory controls.	Risk Event is tolerable and is likely to be subject to some regulatory controls. A preference for outcome-based conditions where practical and appropriate will be applied.
Low	Acceptable, generally not controlled.	Risk Event is acceptable and will generally not be subject to regulatory controls.

8.4 Risk Assessment – Leaks or spills of hazardous liquids

8.4.1 Description of Leaks or spills of hazardous liquids

Kerosene will be stored in 1 kL IBCs Located within a bunded area within an enclosed shed. There is potential for leaks or spills from these containers with the potential for stormwater to become contaminated if it comes into contact with leaks or spills.

8.4.2 Identification and general characterisation of emission

A spill will potentially occur during transfer of liquids or the moving of IBCs. The maximum volume spilled is likely to be not more than 1kL.

8.4.3 Description of potential adverse impact from the emission

The Material Safety Data Sheet (MSDS) describes narrow cut kerosene as toxic and that it may cause irreversible health effects if ingested. It is also eco-toxic in the aquatic environment with a risk of bio-accumulation.

8.4.4 Criteria for assessment

General provisions of the EP Act make it an offence to cause or allow pollution. Discharge of narrow cut kerosene to the environment is prohibited as detailed in the UDR.

8.4.5 Applicant controls

This assessment has reviewed management plans which contain the controls set out in Table 12 below.

Table 12: Applicant controls for leaks or spills of hazardous liquids

Site Infrastructure	Description	Operation details	Reference to Issued Licence Plan (Attachment 1)
Controls to control spills			
Storage and transfer of solvents within existing shed	Storage in sealed IBCs Maximum 3000 litres of solvent to be stored on the premises	Clean up spills IBC's stored in secondary containment area	Site Plan
	Transfer in sealed pipes using vacuum pumps.	Cease transfer if leak develops Transfer to occur within bunded area Clean up spills	
	A bund has been constructed around the distillation unit and associated IBCs. A bund has been constructed across the entrance to the shed	Bunds to be maintained.	

8.4.6 Key findings

The Delegated Officer has reviewed the information regarding the potential impacts from spills of hazardous liquids at the premises and has found that: The Applicant infrastructure and management controls are suitable to minimise the risk of spills causing impacts to the environment.

8.4.7 Consequence

Based upon operational controls at the premises, proximity of receptors, storage for not more than 3 000 litres of solvent , the depth to groundwater and stormwater drainage system, the Delegated Officer has determine environmental impact from spills will be minor on site impacts and minimal impacts off-site on a local scale. Therefore, the Delegated Officer considers the consequence to be **minor**.

8.4.8 Likelihood of risk event

Based upon information provided in the application regarding the handling of solvents the Delegated Officer has determined that spills of solvent adversely affecting health or the environment will probably not occur in most circumstances. Therefore, the Delegated Officer considers the consequence to be **unlikely**.

8.4.9 Overall rating

The Delegated Officer has compared the consequence and likelihood ratings described above for the Risk Criteria (Table 9) and determined that the overall rating for the risk of spills impacting on sensitive receptors during operation is **medium**.

8.5 Risk Assessment - Odour

8.5.1 General hazard characterisation and impact

Kerosene has a characteristic odour which some people find offensive. The odour is likely to be stronger when the kerosene is heated.

8.5.2 Criteria for assessment

There are no set threshold or concentration criteria for odour assessment. The general provisions of the EP Act make it an offence to cause or allow unreasonable emissions which include emissions of odour that unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person. This standard is applicable to persons in nearby factory units and businesses as well as sensitive receptors.

8.5.3 Applicant controls

The Applicant's controls to reduce and manage odour emissions are set out in Table 13:

Table 13: Proponent controls for odour emissions

Control	Description
Siting	Located within the Bibra Lake industrial area immediately adjacent to other factory units. The nearest dwellings are 470 metres or more away.
Infrastructure	All storage and handling of kerosene is to be conducted inside an enclosed building. Transfer of potentially odorous material is accomplished by vacuum sealed pumps. The distillation unit will be sealed.
Management	Not more than 3000 litres of solvent (kerosene) to be held on the premises On-site spill kits available for the immediate clean up and removal of spills

8.5.4 Key findings

The Delegated Officer has reviewed the information regarding the odour impacts from the premises and has found:

1. There is sufficient separation distance between the potential sources of odour and the nearest sensitive (residential) receptors.
2. Applicant infrastructure and management controls are suitable to minimise the risk of odour emissions.

8.5.5 Consequence

The Delegated Officer has had regard to the scale, operational controls and proximity of receptors and has determined that the impact of odour emissions will be low level offsite impacts at a local scale. Therefore, the Delegated Officer considers the consequence to be **mino**r.

8.5.6 Likelihood of risk event

Based upon the equipment used and the nature and scale of the potentially odorous activities the Delegated Officer has determined that the likelihood of odour impacts off-site will probably not occur in most circumstances. Therefore, the Delegated Officer considers the consequence

to be **unlikely**.

8.5.7 Overall rating

The Delegated Officer has compared the consequence and likelihood ratings described above for the Risk Criteria and determined that the overall rating for the risk of offsite odour impacts on sensitive receptors during operation is **medium**.

8.6 Summary of acceptability and treatment of Risk Events

A summary of the risk assessment and the acceptability of the risks with treatments are set out in Table 14 below. Controls are described further in section 9.

Table 14: Risk rating of emissions

	Emission		Pathway and Receptor	Applicant controls	Impact	Risk Rating	Acceptability with treatment (conditions on instrument)
	Type	**Source**					
1.	Hazardous liquids spills	Storage of up to 3 000 litres of kerosene. Transfer of Kerosene in IBCs to and from the distillation unit Distillation of kerosene	Discharge directly to stormwater drains.	Infrastructure including concrete hardstand and secondary containment.	Land and stormwater contamination.	Minor consequence Unlikely **Medium Risk**	Acceptable subject to Applicant controls - conditioned
2.	Odour	Storage of up to 3 000 litres of kerosene. Transfer of Kerosene in IBCs to and from the distillation unit Distillation of kerosene	Air / wind dispersion: residential premises 470 metres away. Adjacent factory units	Separation distance and infrastructure (sealed containers, tanks and pipework).	Reduction in amenity	Minor consequence Unlikely **Medium Risk**	Acceptable subject to Applicant controls - conditioned

9. Regulatory controls

A summary of the risks with corresponding controls are set out in Table 15. The risks are set out in the assessment in section 8 and the controls are detailed in this section. DER will determine controls having regard to the adequacy of controls proposed by the Applicant. The conditions of the works approval and subsequent licence will be set to give effect to the determined regulatory controls.

Controls will form the basis of conditions in the works approval set out in Attachment 1.

Table 15: Summary of regulatory controls to be applied

		9.1 Specified Infrastructure and Equipment	Specified Action (Operation)
Risk Items (see risk analysis in section 8)	Spills of hazardous liquids	•	
	Odours	•	•

9.1 Licence controls

9.1.1 Spill infrastructure and equipment

The following environmental controls, infrastructure and equipment should be installed and maintained onsite for spill management:

Infrastructure	Requirements (Design and Construction)
Bund or bunds to contain spills and leaks from IBCs and distillation equipment on site.	Constructed in accordance with section 4.4.3 of *AS1940-2004 The storage and handling of flammable and combustible liquids.*
Existing shed	Shed is enclosed with impervious concrete floor Bund to be constructed at entrance to prevent spills leaving the shed All storage and processing to occur in shed

9.1.2 Odour control infrastructure and Equipment

The following environmental controls, infrastructure and equipment should be installed and maintained onsite for odour management:

Infrastructure	Requirements (Design and Construction)
Vacuum system for transfer of liquids to and from the distillation unit.	Seals to be maintained.
Temperature controls on distillation unit.	Temperature controls to prevent overheating of kerosene and consequent release of vapour.
Existing shed	Shed is enclosed and all storage and handling of solvents to take place inside the shed

9.2 Licence controls

9.2.1 Specified actions

The following actions should be undertaken for the management of emissions of odour (fugitive) emissions in the licence.

- Ensure that all seals and temperature control are maintained on the distillation unit.
- Ensure that, if during the distillation of solvents, vapours are emitted by the distillation unit, the following actions are taken:
    - cease the heating of solvent,
    - cease the loading of solvent into the distillation unit

  Until the cause of the vapour emission has been rectified.

10. Determination of Licence conditions

The conditions in the Issued Licence in Attachment 1 have been determined in accordance with DWER's *Guidance Statement on Setting Conditions*.

DWER's *Guidance Statement on Licence Duration* has been applied and the licence expires in 20 years from date of issue.

Table 16: Summary of conditions to be applied

Condition Ref	Grounds
Specified Actions Conditions 1, 2 and 3	The specified actions relate to waste acceptance and storage and are valid, risk-based conditions.
Emissions Condition 4	This condition is valid, risk-based and consistent with the EP Act.
Infrastructure and Equipment Condition 5.	This condition is valid, risk-based and contain appropriate controls.
Information Conditions 6, 7, 8, 9 and 10	These conditions are valid and are necessary administration and reporting requirements to ensure compliance.

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.

11. Applicant's comments

The Applicant was provided with the draft Decision Report and draft issued Licence on 12 July 2018. The Applicant advised on 23 July 2018 advising they accepted the draft Licence and

Decision Document.

12. Conclusion

This assessment of the risks of activities on the premises has been undertaken with due consideration of a number of factors, including the documents and policies specified in this decision report (summarised in Appendix 1).

Based on this assessment, it has been determined that the Licence will be granted and with conditions commensurate with the determined controls and necessary for administration and reporting requirements

Caron Goodbourn
A/MANAGER, PROCESS INDUSTRIES
Delegated Officer
under section 20 of the *Environmental Protection Act 1986*

Appendix 1: Key documents

	Document Title	In text ref	Availability
1	Works Approval application Enviroclean Victoria Bibra Lake Distillery	Application	DER Records (A1195628)
2	Bibra Lake Distillery Works Approval application – further information	Application	DER records (A1346665)
3	Bibra Lake Distillery – Response to Department of Environment Regulation Information request	Application	DER records (A138139))
4	Works Approval compliance document.	Compliance Report	DER records (1700585)
5	DER *Guidance Statement on Risk Assessment November 2016*		accessed at http://www.der.wa.gov.au
6	DER *Guidance Statement on Setting conditions,* October 2015		
7	DER *Guidance Statement Decision Making November 2016*		
8	DER *Guidance Statement Environmental Siting November 2016*		

Attachment 1: Issued Licence L9047/2016/1