Licence

Licence Number L9022/2016/1

Licence Holder O.S.I.B. Pty Ltd ACN 129 818 837

Registered business address 18 Killini Road

KRONKUP WA 6330

File Number DER2016/002434-1

Duration 13/03/2019 to 12/03/2039

Date of issue 12 March 2019

Prescribed Premises Category 61

Premises

O.S.I.B. Pty Ltd liquid waste facility

Lot 783 Pile Road

FOREST HILL WA 6324

Lot 783 on Plan 145674

Certificate of Title Volume 1161 Folio 421

This Licence is granted to the Licence Holder, subject to the following conditions, on 12 March 2019, by:

Rebecca Kelly

A/ Senior Manager Waste 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 start 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.

Definitions and interpretation

Definitions

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

Table 1: Definitions

Term	Definition	
AACR	means Annual Audit Compliance Report as defined within the Guideline: Annual Audit Compliance Reports and Guidance Statement: Publication of Annual Audit Compliance Reports	
ACN	Australian Company Number	
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 January until 30 December.	
AS/NZS 2031	means the Australian Standard AS/NZS 2031 Selection of containers and preservation of water samples for microbiological analysis	
AS/NZS 5667.1	means the Australian Standard AS/NZS 5667.1 Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples	
AS/NZS 5667.11	means the Australian Standard AS/NZS 5667.11 Water Quality – Sampling – Guidance on sampling of ground waters	
Books	has the same meaning given to that term under the EP Act.	
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	

Term	Definition
Carrier	has the same meaning given to that term under the Controlled Waste Regulations
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
Controlled Waste Regulations	Environmental Protection (Controlled Waste) Regulations 2004
Controlled waste tracking form	has the same meaning given to that term under the Controlled Waste Regulations
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
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.
Emission	has the same meaning given to that term under the EP Act.
Environmental Harm	has the same meaning given to that term under the EP Act.
EP Act	means the Environmental Protection Act 1986 (WA).
EP Regulations	means the Environmental Protection Regulations 1987 (WA).
Implementation Agreement or Decision	has the same meaning given to that term under the EP Act.
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.

Term	Definition
Material Environmental Harm	has the same meaning given to that term under the EP Act.
NATA	means the National Association of Testing Authorities, Australia
NATA Accredited	means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis
PFAS	means per- and polyfluoroalkyl substances
Pollution	has the same meaning given to that term under the EP Act.
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.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Primary Activities	refers to the Prescribed Premises activities listed on the front of this Licence as described in Schedule 2, at the locations shown in Schedule 1.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Unreasonable Emission	has the same meaning given to that term under the EP Act.
Waste	has the same meaning given to that term under the EP Act.

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

Emissions

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

Table 2: Authorised Emissions table.

Column 1		Colu	Column 2		
Discharge/ Emission type		Exclusions/ Limitations/ Requirements			
	General Emissions/ Discharges (excluding Specified Emissions/ Discharges)				
(a)	Emissions which arise	Emiss	sions excluded from General Emissions are:		
	from the Primary Activities set out in	(i)	Unreasonable Emissions; or		
Schedule 2; or	(ii)	Emissions that result in, or are likely to result in, Pollution, Material Environmental Harm or Serious Environmental Harm; or			
		(iii)	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		
		(v)	Emissions or Discharges which do not comply with an Approved Policy; or		
			Emissions or Discharges which do not comply with a prescribed standard; or		
		(vii)	Emissions or Discharges which do not comply with the conditions in an Implementation Agreement or Decision; or		
		(viii)	Emissions or Discharges the subject of offences under regulations prescribed under the EP Act, including materials discharged under the Environmental <i>Protection</i> (Unauthorised Discharges) Regulations 2004.		

Waste classification, acceptance and throughput

- 2. The Licence Holder must only accept onto the Premises Waste that:
 - (a) is of a Liquid waste type specified in Table 3;
 - (b) does not exceed the corresponding approved capacity specified in Table 3;
 - (c) meets the corresponding Waste specification as set out in Table 3; and
 - (d) is accepted from a Carrier.

Table 3: Liquid waste types and quantities approved to be accepted at the Premises.

Liquid waste type		Approved capacity	Waste specification	
Controlled Waste Regulations definition	Controlled waste category	Capacity		
Non toxic salts	D300 Non-toxic salts	Combined total of 10 000 tonnes	None specified	
Waste from grease traps	K110 Waste from grease traps	per annual period	None specified	
Sewage	K130 Sewage waste from the reticulated sewage system K210 Septage wastes		None specified None specified None specified	
Vegetable and food processing waste	K200 Food and beverage processing wastes			
Waste oil and water, or hydrocarbons and water, mixtures or emulsions	L100 Car and truck wash waters			
Not applicable	L150 Industrial wash water contaminated with a controlled waste		a) Wash water must only be contaminated by a liquid waste type specified in Condition 2, Table 3.	
Fire debris and wash waters	N140 Fire debris and wash waters		b) Must not contain or be contaminated by PFAS.	

Waste processing

- **3.** The Licence Holder must:
 - (a) discharge all liquid waste accepted at the Premises to the discharge bay;
 - **(b)** direct all liquid waste from the discharge bay to an anaerobic pond for treatment;
 - (c) direct all wastewater from the anaerobic pond to the facultative pond for treatment;
 - (d) direct all wastewater from the facultative pond to the evaporation pond for evaporation; and
 - (e) direct all sewage sludge removed from the ponds to the sludge drying hardstand using a process that does not reduce the hydraulic conductivity of the HDPE geomembrane layer.

Infrastructure and equipment

4. The Licence Holder must ensure that the Infrastructure and equipment specified in Table 4 is maintained in good working order and operated in accordance with the Specifications and Operational requirements specified in Table 4.

Table 4: Infrastructure, equipment and operational controls table.

	structure and pment	Specifications	Operational requirements	
1)	Discharge bay	 (a) N40 grade concrete 200 mm thick base slab and 175 mm thick walls (b) All liquid waste is directed through three gross matter screens of between ~38 mm and ~12.5 mm aperture. 	(c) All waste collected within the gross matter screened is directed to the solid waste bins.(d) Valves and concrete pad are maintained to ensure all liquid waste is only directed to an anaerobic pond.	
2)	Anaerobic ponds (two)	 (a) Pond liner: i) 300 mm compacted minimum 95% maximum dry density clay layer with a maximum hydraulic conductivity of 1 x 10⁻⁹ m/s. ii) Geotextile layer covering clay. iii) 1.5 mm HDPE geomembrane covering the geotextile with a maximum hydraulic conductivity of 1 x 10⁻¹² m/s. (b) Pond profiles: i) floor level of 252.3 mAHD (west) and 251.85 mAHD (east); ii) storage capacity of 360 m³ (west) and 340 m³ (east) at TWL; iii) top of pond embankments sloped to direct storm water away from the ponds; and iv) all overflow is directed to the facultative pond. 	(c) Managed to ensure a minimum 500 mm freeboard is maintained	
3)	Facultative pond	 (a) Pond liner: i) 600 mm compacted minimum 95% maximum dry density clay layer with a maximum hydraulic conductivity of 1 x 10⁻⁹ m. (b) Pond profiles: i) floor level of 251.55 mAHD; ii) storage capacity of 6,420 m³ at TWL; and iii) top of pond embankments sloped to direct storm water away from the ponds; and iv) all overflow is directed to the evaporation pond. 	(c) Managed to ensure a minimum 500 mm freeboard is maintained	

	structure and pment	Specifications	Operational requirements		
4)	Evaporation pond	 (a) Pond liner: i) 600 mm compacted minimum 95% maximum dry density clay layer with a maximum hydraulic conductivity of 1 x 10⁻⁹ m. (b) Pond profiles: i) floor level of 249.3 mAHD; ii) storage capacity of 56,400 m³ at TWL; and iii) top of pond embankments sloped to direct storm water away from the ponds. 	(c) Managed to ensure a minimum 500 mm freeboard is maintained		
5)	Emergency overflow dam	None specified	(a) None specified		
6)	Solid waste bins	(a) Must be impervious and capable of covering all waste.	(b) Do not leak or result in discharge to the environment		
7)	Desludging and drying hardstand	(a) Gravel hardstand with a maximum hydraulic conductivity of 1 x 10⁻⁹ m/s surrounded on all sides by a 300 mm bund.(b) All leachate directed to the anaerobic pond.	(c) Sludge treated with Pro Tube and polymer dosing.		
8)	Liquid waste conveyance pipelines and control valves	None specified.	(a) Do not leak or result in discharge to the environment.(b) Maintained free of defect and obstruction.		
9)	Storm water management system	 (a) A 'V' drain surrounding infrastructure items 1) through 7) nominally 0.75 m deep and must penetrate into the sandy clay soil profile throughout. (b) Internal road side 'V' drains nominally 0.3 m deep. (c) All storm water directed away from liquid waste containment infrastructure and into the emergency overflow dam or the storm water dam. 	(d) Maintained free of defect and obstruction.		
10)	Groundwater monitoring bores (all).	(a) Constructed in accordance with ASTM D5092-04(2010)e1.	(b) Maintained free of defect and obstruction.		

- **5.** The Licence Holder must ensure that by 31 December 2019:
 - (a) Two groundwater monitoring bores are installed at the Premises at the groundwater monitoring bore number and location listed in Table 5 according to the construction specifications listed in Table 5 and able to meet the groundwater sampling requirements specified in Table 5.
 - **(b)** submit a report to the CEO that:
 - (i) confirms that the groundwater monitoring bores are installed in accordance with Condition 5(a); and
 - (ii) contains soil and bore logs for all the installed groundwater monitoring bores.

Table 5: New groundwater monitoring bore specifications

Column 1	Column 2	Column 3	
Bore number/ location	Construction specifications	Groundwater sampling requirements	
GW4 and GW5	(a) Constructed in accordance with ASTM D5092- 04(2010)e1;	Representative groundwater samples can be taken at the Premises:	
	(b) Constructed with a 2 to 3 m machine slotted PVC casing screened interval;		
	(c) Drilled to the depth of the granite bedrock and the screened interval installed to intercept the standing ground water level coinciding with the Saprolite layer;	(i) at the locations depicted in the Premises Map in Schedule 1 of this	
	(d) Annular spacing of each bore is sand packed and sealed with a bentonite and cement plug at the surface; and	Licence; and (ii) in accordance with	
	(e) Logged as per AS1726-1993 for the unified classification system for soils.	Conditions 6 and 7 of this Licence.	

Monitoring requirements

- **6**. The Licence Holder must ensure that.
 - (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
 - (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11;
 - (c) all microbiological samples are collected and preserved in accordance with AS/NZS 2031; and
 - (d) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured unless indicated otherwise in Table 6.
- **7.** The Licence Holder must monitor groundwater for concentrations of the parameters listed in Table 6:
 - (a) at the corresponding sampling point;
 - **(b)** for each corresponding parameter in the corresponding units;
 - (c) at no less than the corresponding frequency; and
 - (d) for the corresponding averaging periods.

Table 6: Groundwater monitoring table.

Sampling points	Parameter	Units	Frequency	Averaging period
GW1, GW2, GW3,	Standing water level ²	mAHD; mBGL	Monthly for first 12 months then biannually	Spot Sample
GW4 ¹ and GW5 ¹	pH ²	-	Quarterly for first	
	Electrical conductivity ²	μS/cm	12 months then biannually	
	Redox potential ²	Eh	_ blaillidally	
	Ammonium (NH ₄ -N)	mg/L		
	Cations (calcium, magnesium, potassium and sodium)			
	Nitrate + nitrite – nitrogen			
	Total biochemical oxygen demand			
	Total dissolved solids			
	Total metals (aluminium, arsenic, cadmium, chromium, cobalt, copper, lead, manganese, nickel, potassium, zinc)			
	Total nitrogen			
	Phosphate			
	Total phosphorus			
	Total suspended solids			
	Escherichia coli	cfu/100 mL		
	Phenol	u/mg/L	Annually (between July and December)	
	PFAS³: Perfluorooctane sulfonate Perfluorooctanoic acid 6:2 Fluorotelomer sulfonate 8:2 Fluorotelomer sulfonate Perfluoroheptanoic acid Perfluorobutane sulfonate Perfluorobutanoic acid Perfluorohexanoic acid Perfluorohexanoic acid Perfluorohexane sulfonate; and Perfluoropentanoic acid.	u/mg/L	Once for all five sampling points (between January and March 2020)	

Note 1: Monitoring must commence by between January and March 2020.

Note 2: Standing water level In-field non-NATA Accredited analysis only, all others require in-field and NATA Accredited analysis.

Note 3: Monitoring to be undertaken consistent with Department of Environment Regulation 2017, *Interim Guideline on the assessment and management of perfluoroalkyl and polyfluoroalkyl substances (PFAS)*.

8. The Licence Holder must ensure that the waste type accepted to and rejected from the Premises is monitored according to the specifications in Table 7.

Table 7: Monitoring of waste accepted and rejected.

Liquid waste type	Specifications	
As specified in Condition 2, Table 3 of this Licence	(a)	Waste type and volume defined as per controlled waste tracking form.
	(b) Waste type and volume recorded continuously.	
	(c)	Waste volumes accepted are averaged for the annual period.

Record-keeping

- **9.** 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) the maintenance of infrastructure required to ensure that it is kept in good working order in accordance with Condition 4 of this Licence;
 - (c) monitoring undertaken in accordance with Conditions 7 and 8 of this Licence;
 - (d) complaints received under Condition 10 of this Licence; and
 - In addition, the Books must:

 (e) be legible;
 - (f) if amended, be amended in such a way that the original and subsequent amendments remain legible and are capable of retrieval;
 - (g) be retained for at least 3 years from the date the Books were made; and
 - (h) be available to be produced to an Inspector or the CEO.
- 10. 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.

Reporting

- 11. The Licence Holder must submit to the CEO, no later than 1 March in each year an AACR indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the preceding Annual Period
- 12. The Licence Holder must submit to the CEO, no later than 1 March in each second year from 2020 an Environmental Report that contains the requirements for the corresponding Condition specified in Table 8.

Table 8: Environmental Report requirements.

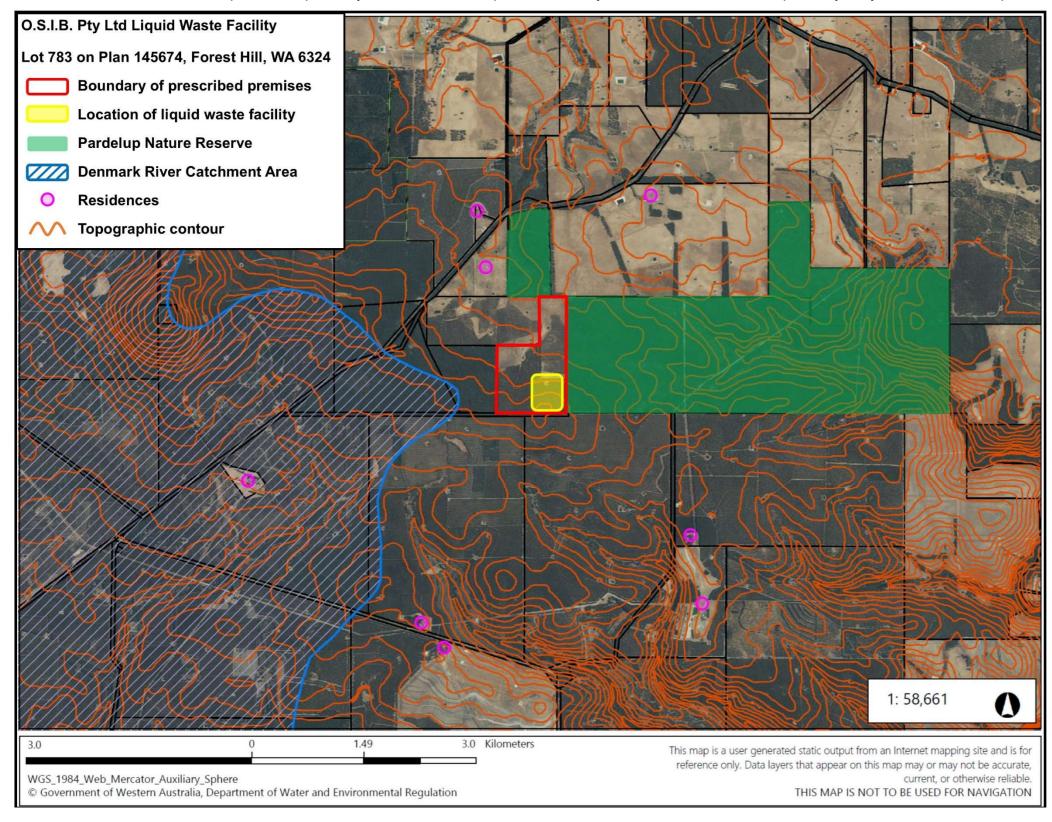
Condition	Requirement
Condition 2 and	(a) A summary of all monthly waste accepted and rejected for the Annual Periods presented in table format; and
Condition 7	(b) A summary of any waste rejected from the Premises for the Annual Periods.
Condition 8	A summary of all groundwater monitoring data for the Annual Periods for all parameters specified:
	(a) presented in table format for the last two Annual Periods; and
	(b) presented in graphical format, for trend analysis, to include all available data.

13. 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

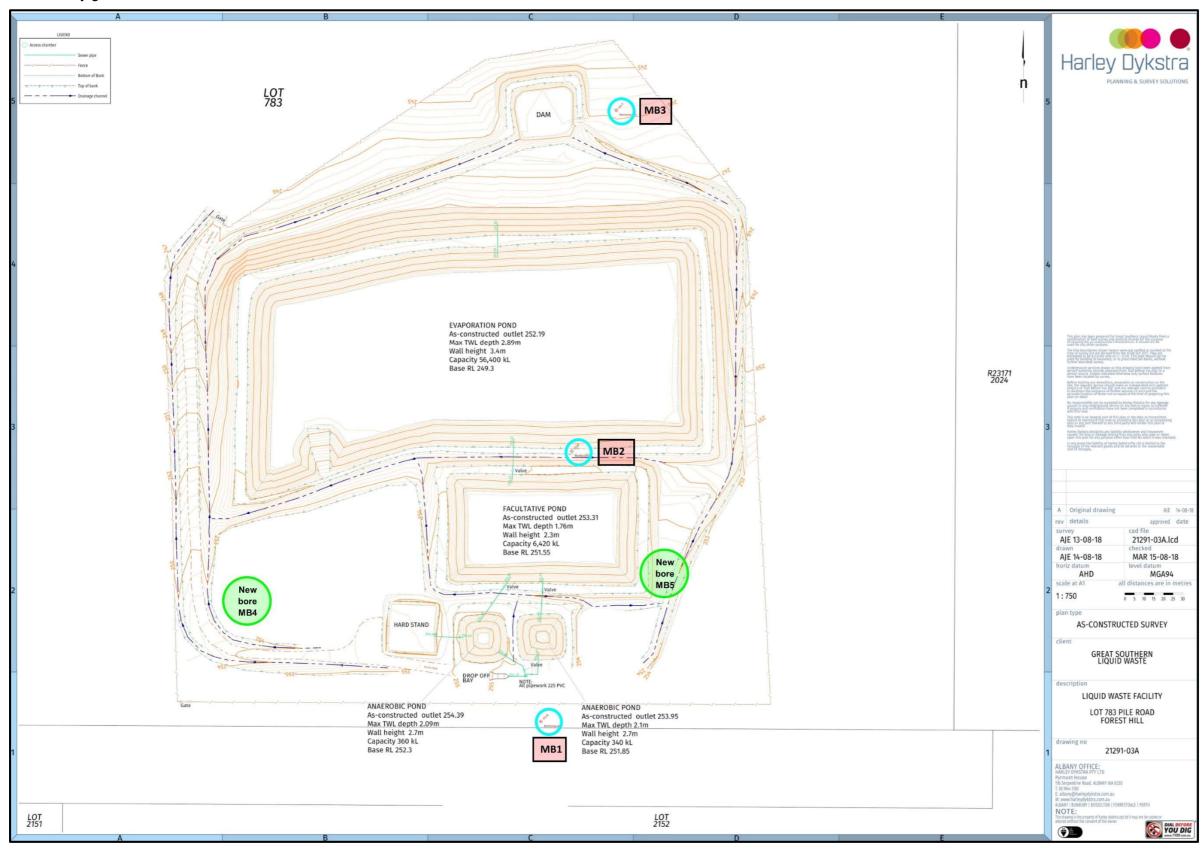
Premises map

The Premises is shown in the map below, depicted by the red line. The liquid waste facility infrastructure location is depicted by the yellow line. Pardelup Nature Reserve is depicted in green.



Premises plan

The Premises infrastructure is depicted in the plan below. The location of existing groundwater monitoring bores are indicated by blue circles. The location of new proposed groundwater monitoring bores are indicated by green circles.



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 9.

Table 9: Primary Activities

Primary Activity	Premises production or design capacity
Category 61 – Liquid waste facility: premises on which liquid waste produced on other premises (other than sewerage waste) is stored, reprocessed, treated or irrigated.	10 000 tonnes per annual period

Infrastructure and equipment

The Primary Activity infrastructure and equipment situated on the Premises is listed in Table 4 of the Licence.

Site layout

The Primary Activity infrastructure and equipment is set out on the Premises in accordance with the site layout specified on the Premises map and Premises plan in Schedule 1.