



Licence Number	L9187/2018/1
Licence Holder	A1 Waste Management Pty Ltd
ACN	148 910 481
Registered business address	11 Barnato Street HAMERSLEY WA 6022
File Number	DER2017/02127-1
Duration	29/10/2019 to 28/10/2022
Date of issue	29 October 2019
Prescribed Premises	Category 62: Solid waste depot
Premises	Encore Recycling & Resource Recovery 9 Rogers Way, LANDSDALE WA 6065 Legal description - Lot 64 on Diagram 57260 Certificate of Title Volume 1559 Folio 837

This Licence is granted to the Licence Holder, subject to the following conditions, on 29 October 2019, by:

**A/MANAGER WASTE INDUSTRIES
REGULATORY SERVICES**

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

Definitions and interpretation

Definitions

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

Table 1: Definitions

Term	Definition
ACM	means Asbestos containing material and has the meaning defined in the <i>Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites</i> , Western Australia (DOH, 2009)
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 Audit Compliance Report	means a report in the format as specified by the CEO (guidelines and templates are available on the Department's website).
Annual Period	means a 12 month period commencing from 1 January until 31 December.
Asbestos	means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals and includes actinolite, amosite, anthophyllite, chrysotile, crocidolite, tremolite and any mixture containing 2 or more of those.
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
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 <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
Classified Load	means the classification of waste loads during acceptance and post acceptance based on the risk of waste material containing Asbestos or ACM and through visual inspection.

Term	Definition											
Construction and Demolition Waste (C&D Waste)	has the meaning defined in the Landfill Definitions											
Conversion Factor	means the default bulk densities shown in Appendix B Table 2 of the <i>Western Australian Government Gazette No. 97, 28 June 2019</i> .											
Damp	means moist to the touch.											
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: <ul style="list-style-type: none"> (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. 											
DWER	Department of Water and Environmental Regulation.											
DWER Asbestos Guideline	means the document titled <i>Guideline - asbestos in construction and demolition recycling</i> published by the then Department of Environment Conservation, as amended from time to time.											
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 <i>Environmental Protection Act 1986</i> (WA).											
EP Regulations	means the <i>Environmental Protection Regulations 1987</i> (WA).											
High Risk Load	refers to loads classified as 'high risk' in accordance with the DWER Guideline <i>Asbestos in construction and demolition recycling</i> included in Attachment 1 of this Licence.											
Industrial and Utility Premises Assigned Levels	means the following assigned noise levels: <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th rowspan="2">Time of day</th> <th colspan="3">Assigned level (dB)</th> </tr> <tr> <th>L_{A10}</th> <th>L_{A1}</th> <th>L_{A max}</th> </tr> </thead> <tbody> <tr> <td>All hours</td> <td>65</td> <td>80</td> <td>90</td> </tr> </tbody> </table>	Time of day	Assigned level (dB)			L _{A10}	L _{A1}	L _{A max}	All hours	65	80	90
Time of day	Assigned level (dB)											
	L _{A10}	L _{A1}	L _{A max}									
All hours	65	80	90									

Term	Definition
Inert Waste Type 1	has the meaning defined in the Landfill Definitions
Inspector	means an inspector appointed by the CEO in accordance with s.88 of the EP Act.
Landfill Definitions	means the document titled <i>Landfill Waste Classification and Waste Definitions 1996</i> published by the Chief Executive Officer of the Department of Environment, as amended from time to time.
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.
Low Risk Loads	refers to loads classified as 'low risk' in accordance with the DWER Guideline <i>Asbestos in construction and demolition recycling</i> included in Attachment 1 of this Licence.
Material Environmental Harm	has the same meaning given to that term under the EP Act.
Non-conforming Waste	refers to waste material co-mingled with Construction and Demolition Waste which has been accepted at the Premises and is unsuitable for the crushing and screening process.
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.
Product(s)	Refers to Wastes which have undergone crushing, processing or screening to create a useable recycled product.
Serious Environmental Harm	has the same meaning given to that term under the EP Act.
Stockpile Base	refers to the furthest point at the base of a stockpile that the material extends to.

Term	Definition
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

Waste acceptance

1. The Licence Holder must only accept waste on to the Premises if:
 - (a) it is of a type listed in Column 1 of Table 2;
 - (b) the quantity accepted is below any quantity limit listed in Column 2 of Table 2; and
 - (c) it meets the specifications listed in Column 3 of Table 2.

Table 2: Waste acceptance

Column 1	Column 2	Column 3
Waste Type	Quantity limit	Specification
Inert Waste Type 1	A combined total of 78,000 tonnes per Annual Period.	<ol style="list-style-type: none">(a) Construction and Demolition Waste only.(b) Waste containing asbestos must not be accepted.

2. The Licence Holder must ensure that where waste does not meet the waste acceptance criteria set out in Condition 1 it is removed from the Premises by the delivery vehicle or where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.
3. Waste must not be accepted on to the Premises when:
 - (a) it contains visible Asbestos or ACM, inspected and classified in accordance with Condition 4; or
 - (b) the Licence Holder has not obtained a signed declaration from the supplier of the source material with each delivery that:
 - (i) sets out the details of the Waste source, carrier, registration number of the vehicle and the date of delivery;
 - (ii) sets out the Waste type and volume being delivered; and
 - (iii) warrants that the load does not contain any Asbestos or ACM.
 - (c) The Licence Holder must maintain a clearly visible sign stating 'No Asbestos' at the entry to the Premises.
4. The Licence Holder must visually inspect all loads of Waste when they arrive at the Premises, prior to unloading, to determine the risk of a load containing Asbestos or ACM and each load shall be classified in accordance with the risk classification procedure outlined in Attachment 1 (Classified Load).

5. Where the visual inspection required by Condition 4 identifies that Waste is not permitted by the Licence, the Licence Holder must:
 - (a) reject the Waste for acceptance;
 - (b) record the details of the Waste source, waste carrier, registration number of the vehicle and the date of rejection; and
 - (c) maintain accurate and auditable records of all rejected loads on the Premises.

Load inspection

6. Upon acceptance of Waste, the Licence Holder must direct each Classified Load to an unloading area at the site for further inspection. The unloading area must be appropriately designed and constructed to ensure the Classified Load will not mix with other Waste prior to inspection.
7. At the unloading area, the Licence Holder must keep all Waste wetted down throughout the inspection process using the infrastructure specified in Row 1 of Table 4 set out in Condition 13. The Licence Holder must visually inspect loads classified as Low Risk Loads, while the material is being unloaded to determine whether any Asbestos can be identified.
8. If Asbestos is suspected or identified, the load must be reclassified as a High Risk Load and the Licence Holder must implement the High Risk Load procedure set out in Attachment 2.
9. High Risk Loads must be visually inspected and handled in accordance with the procedure set out in Attachment 2.
10. The Licence Holder must maintain accurate and auditable records of all loads that have been inspected and suspected or found to contain Asbestos. Those records must show the source and originating site and actions taken to address the issue with the source customer.
11. The Licence Holder must continue to visually inspect Waste on the Premises at all stages of the storage, sorting and screening process. Suspected Asbestos identified at any stage of the process must be handled in accordance with the procedure set out in Attachment 2 and records maintained in accordance with Condition 11.

Waste processing

12. The Licence Holder shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 3 and in accordance with any process limits or specifications described in Table 3.

Table 3: Waste processing table

Column 1	Column 2	Column 3
Waste Type	Processes	Process specification
Inert Waste Type 1 (Construction and Demolition Waste)	Receipt, handling, storage and processing by manual and mechanical sorting (screening or other mechanical equipment)	Subject to compliance with; (a) waste acceptance and load inspection requirements specified in Conditions 1 to 11; (b) infrastructure and equipment requirements in Condition 13; (c) stockpiling and emission controls in Condition 19 to 27; and (d) product testing and monitoring requirements in Conditions 28 to 34.

Infrastructure and equipment

13. 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
Dust, Asbestos and noise controls		
1.	Tipping floor	(a) Fitted with a steelwork roof used to prevent dust emissions during the initial sorting of waste material. (b) Fitted with a misting system used to prevent fugitive dust emissions during tipping and sorting. The system must produce water droplets that are fine enough to form a droplet cloud and interact with dust particles effectively. (c) Misting systems are to be maintained in good working order to ensure availability during tipping and sorting operations. Sprays must be operational at all times when tipping is occurring.

	Column 1	Column 2
	Site infrastructure and equipment	Operational requirements
	Dust, Asbestos and noise controls	
2.	Primary crusher and secondary crusher	<p>(a) Only operated for the purpose of noise validation testing required by Condition 16.</p> <p>(b) Fitted with a foam suppressant system used to prevent fugitive dust emissions from material processed through the primary and secondary crusher. The system must produce appropriate coverage over material prior to entry in to the crushers.</p> <p>(c) Foam suppressant systems are to be maintained in good working order to ensure availability during operation of equipment. Sprays must be operational at all times when equipment is operating.</p> <p>(d) Fitted and enclosed with noise attenuating cladding that prevents operation of the infrastructure/equipment from exceeding the Industrial and Utility Premises Assigned Levels at the adjacent industrial premises.</p>
3.	Primary screen and secondary screen	<p>(a) Fitted with a misting system used to prevent fugitive dust emissions during material processing. The system must produce water droplets that are fine enough to form a droplet cloud and interact with dust particles effectively.</p> <p>(b) Enclosed with noise attenuating cladding that prevents operation of the infrastructure/equipment from exceeding the Industrial and Utility Premises Assigned Levels at the adjacent industrial premises.</p>
4.	Product output conveyor	<p>(a) Fitted with a misting system used to prevent fugitive dust emissions from product during material conveyance. The system must produce water droplets that are fine enough to form a droplet cloud and interact with dust particles effectively.</p> <p>(b) Misting systems are to be maintained in good working order to ensure availability during operation of equipment. Sprays must be operational at all times when equipment is operating.</p>

	Column 1	Column 2
	Site infrastructure and equipment	Operational requirements
	Dust, Asbestos and noise controls	
5.	Premises boundary fencing	(a) Fitted with 90% block shade cloth to prevent fugitive dust emissions from leaving the Premises. The shade cloth must be maintained in a fixed state around the boundary fence line.
6.	Generator	(a) Enclosed with noise attenuating cladding that prevents operation of the infrastructure/equipment from exceeding the Industrial and Utility Premises Assigned Levels at the adjacent industrial premises.

Specified actions

14. The Licence Holder must within 3 months of the commencement date of the Licence, complete installation of the noise attenuating cladding specified in Rows 2 and 3 of Table 4.
15. The Licence Holder must provide written notification to the CEO within 7 days of the completed installation of the noise attenuating cladding required by Condition 14.
16. Within 30 days of the completed installation of the noise attenuating cladding required by Condition 14, the Licence Holder must retain the services of a person qualified and experienced in the area of environmental noise assessment and who by their qualifications and experience is eligible to hold membership of the Australian Acoustical Society or the Australian Association of Acoustical Consultants to:
 - (a) investigate the nature and extent of noise emissions from the Premises;
 - (b) assess in accordance with the methodology required in the *Environmental Protection (Noise) Regulations 1997*, the compliance of the noise emissions from the Primary Activities, against the relevant assigned levels specified in those Regulations; and
 - (c) compile and submit to the Licence Holder a report in accordance with Condition 17 within 6 weeks of completing the investigations pursuant to Conditions 16(a) and 16(b).
17. A report prepared pursuant to Condition 16(c) is to include:
 - (a) a description of the methods used for monitoring and/or modelling of noise emissions from the Premises;
 - (b) details and the results of the investigation undertaken pursuant to Condition 16(a);
 - (c) details and results of the assessment of the noise emissions from the Premises, against the relevant assigned levels in the *Environmental Protection (Noise) Regulations 1997* undertaken pursuant to Condition 16(b); and

- (d) an assessment of noise levels against the most recent previous noise assessment.
18. The Licence Holder must submit to the CEO the report prepared pursuant to Condition 16(c) within 14 days of receiving it.

Stockpile management

19. The Licence Holder must ensure that:
- (a) material on the Premises is maintained in at least 3 separate stockpile areas for unprocessed Waste, Product tested for Asbestos or ACM and Product awaiting testing for Asbestos or ACM;
 - (b) unprocessed Waste and Product stockpiles are kept clearly separated at a minimum 3 metre distance from the Stockpile Base;
 - (c) Product tested for Asbestos or ACM and Product awaiting testing for Asbestos or ACM are:
 - (i) clearly separated by a minimum 3 metre distance from the Stockpile Base; or
 - (ii) clearly delineated and separated with impermeable barriers.
 - (d) clearly visible and legible signage is erected on individual stockpiles to identify and delineate tested Product, untested Product and unprocessed Waste.
20. The Licence Holder must ensure that all stockpiles on the Premises:
- (a) do not exceed 4 metres in height at any point from the Stockpile Base, for Product stockpiles;
 - (b) do not exceed 8 metres in height at any point from the Stockpile Base, for unprocessed Waste stockpiles; and
 - (c) have a minimum distance of 1.5 metres separation from the Stockpile Base to the Premises boundary at all times.

Dust emission controls

21. The Licence Holder must within 6 months of the commencement date of the Licence, complete installation of the tipping floor roof specified in Row 1 of Table 4.
22. The Licence Holder must provide written notification to the CEO within 7 days of the completed installation of the tipping floor roof required by Condition 21.
23. The Licence Holder must ensure that waste and product material stockpiles are maintained in a Damp state at all times.
24. The Licence Holder must ensure that all products removed from the Premises are wetted down prior to loading.
25. All vehicles must operate at speeds less than 10 km/hr throughout the Premises.
26. The Licence Holder must ensure that no visible dust generated from the Primary Activities crosses the boundary of the Premises.

Noise emission controls

27. The Licence Holder must ensure the Premises only operates between the hours of 07:00 to 19:00 Monday to Saturday.

Product testing

28. The Licence Holder must ensure that testing of all Product is undertaken in accordance with the Product testing procedures specified in Attachment 3.
29. The Licence Holder must ensure that Products are only supplied to customers that have been tested in accordance with Condition 28 and shown to conform to the product specification of 0.001% Asbestos weight for weight (w/w) for Asbestos content (in any form) within any recycled Product.
30. The Licence Holder must maintain accurate and auditable records of all Asbestos Product testing undertaken in accordance with Condition 28. These records must include:
 - (a) details of the sample size;
 - (b) a statement of Limit of Detection of the analysis;
 - (c) results in relation to Asbestos detected (positive result exceeding the 0.001% w/w limit) or not;
 - (d) a description of any asbestos found; and
 - (e) an estimate of the concentration of Asbestos detected if practical to do so.
31. The records maintained in accordance with Condition 30 must be made available to DWER and customers on request.
32. The Licence Holder is not authorised to implement a reduced Product testing rate as per the reduced sampling criteria section of Attachment 3.

Monitoring

33. The Licence Holder must monitor and record the volume of Waste accepted onto the Premises for the waste type listed in Column 1 of Table 5, using the units specified in Column 2 of Table 5 and at the frequency specified in Column 3 of Table 5.

Table 5: Waste accepted onto the Premises.

Column 1	Column 2	Column 3
Waste Type	Unit	Frequency
Inert Waste Type 1 (Construction and Demolition Waste)	Tonnes - as measured by certified load scales OR m ³ and calculated tonnes – a Conversion Factor must be used to calculate tonnage.	Each load arriving at the Premises

34. The Licence Holder must record the total amount of Waste and Product removed from the Premises for each type listed in Column 1 of Table 6, using the units specified in Column 2 of Table 6 and at the frequency specified in Column 3 of Table 6.

Table 6: Waste and Product removed from the Premises.

Column 1	Column 2	Column 3
Type	Unit	Frequency
Recycled Product	Tonnes - as measured by certified load scales	Each load leaving the Premises
Non-conforming Waste by type as defined in the Landfill Definitions	OR m ³ and calculated tonnes – a Conversion Factor must be used to calculate tonnage.	Each load leaving or rejected from the Premises

Record-keeping

- 35.** 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:
- 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;
 - the name and contact details of the complainant, if provided by the complainant;
 - the date of the complaint; and
 - the details and dates of the actions taken by the Licence Holder in response to the complaints.
- 36.** The Licence Holder must maintain accurate and auditable Books including the following records, information, reports and data required by this Licence:
- the calculation of fees payable in respect of this Licence;
 - the works conducted in accordance with Conditions 21 and 14 of this Licence;
 - details of Waste rejected from the Premises documented in accordance with Condition 5;
 - details of asbestos containing loads documented in accordance with Condition 10;
 - the maintenance of infrastructure required to ensure that it is kept in good working order in accordance with Condition 13 of this Licence;
 - the details of Product testing recorded under Condition 30;
 - monitoring undertaken in accordance with Conditions 33 and 34 of this Licence;
 - complaints received under Condition 35 of this Licence; and
- In addition, the Books must:
- be legible;

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

Reporting

- 37.** The Licence Holder must submit to the CEO by no later than 60 days after the end of each annual period, an Annual Audit Compliance Report indicating the extent to which the Licence Holder has complied with the Conditions in this Licence for the preceding Annual Period.
- 38.** The Licence Holder must submit to the CEO by no later than 60 days after the end of each annual period, an Annual Environmental Report for that annual period for the Conditions listed in Table 7, and which provides information in accordance with the corresponding requirement set out in Table 7.

Table 7: Annual Environmental Report requirements

Condition	Requirement
5	A summary of all loads rejected from the Premises during the Annual Period.
10	A summary of asbestos load inspections undertaken during the Annual Period.
13	A summary of any maintenance undertaken during the Annual Period.
30	The records of all Asbestos Product testing undertaken during the Annual Period.
33 and 34	The records of inputs and outputs monitoring during the Annual Period including a summary of: <ul style="list-style-type: none"> (a) Waste types and quantities; (b) Wastes that were accepted the Premises; and (c) removed and rejected loads in the reporting year.
35	A summary of any complaints received during the Annual Period and the actions taken to address them.

- 39.** 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.



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 8:

Table 8: Primary Activities

Primary Activity	Premises production or design capacity
Category 62 – Solid waste depot: premises on which waste is stored, or sorted pending final disposal or re-use.	78,000 tonnes per annum

Infrastructure and equipment

The Primary Activity infrastructure and equipment situated on the Premises is listed in Table 9.

Table 9: Infrastructure and equipment

Infrastructure and equipment	Premise map reference
Concrete hardstand tipping floor	Tipping floor
Generator and noise attenuating enclosure	Generator and noise enclosure
Grizzly feeder pan <ul style="list-style-type: none"> Capacity: 40 tonnes/hr 	Feeder pan
Primary crusher (Pioneer single toggle jaw 600mm) <ul style="list-style-type: none"> Sound power level: 100 L_{WA}dB 	Primary crusher
Primary screen (Pioneer 3YZ triple deck screen)	Primary screen
Picking conveyor and overhead magnet	Picking station and waste receptacles
Secondary crusher (Pioneer triple curtain impact crusher) <ul style="list-style-type: none"> Sound power level: 99 L_{WA}dB 	Secondary crusher
Secondary screen (Hein Leham flip flow screen)	Secondary screen
Hino Euro 5 FM2630 for unloading	N/A
Front End Loader Hyundai HL757-7A for loading	N/A
Caterpillar 316D wheeled excavator with grab	N/A

Infrastructure and equipment	Premise map reference
Hyundai 760 loader	N/A
SWAT tornado dust misting system	N/A
Polo BDS foam dust suppressant system	N/A
Sound proof panel enclosure	N/A
2 x 80kL Water storage bladder - Contained within sea containers	N/A

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 in Schedule 1.

Attachment 1 - Asbestos Risk Classification Procedure

To determine the risk of an incoming load containing Asbestos, the Gatehouse operator must establish:

- The source of the load including the site location and if possible, the age of any building or structure from which the Waste originated;
- The content/Waste types within the load; and
- The type of load.

Where the source of the load can clearly be determined to be a building or structure constructed after 1990 then the load can be considered to represent a low risk of Asbestos contamination. Where the Waste originates from a building constructed before 1990 or there is uncertainty over this issue, the risks associated with Asbestos in the load must be established in line with the Risk Classification Matrix below.

Risk Classification Matrix			
Material Type	Type of load		
	Commercial	Public, utes, cars and trailers*	Skip bins
Clean Concrete (without formwork)	Low	High	High
Clean Brick	Low	High	High
Clean Bitumen / Asphalt	Low	High	High
Mixed Construction waste	High	High	High
Mixed Demolition waste	High	High	High

* if it is possible to view the entire load of incoming C & D material (eg a small trailer with a shallow load, then consideration may be given to classifying these loads as low risk
(Risk Matrix Classification adapted from WorkSafe Victoria 2006 and WMAA 2009)

(Derived from Section 3.3 of the DER Asbestos Guidelines, pages 10 – 11)

Attachment 2 – High Risk Load Procedure

- High Risk Loads must be unloaded and spread over a sufficiently large area to enable a comprehensive visual inspection of all sides of the material to be undertaken.
- If Asbestos is suspected or detected, the load must be isolated, kept wet and once appropriately contained in accordance with the Environmental Protection (Controlled Waste) Regulations 2004, and redirected to an appropriately authorised disposal facility.
- Where suspect ACM is identified within a load and is not capable of being easily removed by hand, the load must be rejected and must be isolated, kept wet and once appropriately contained in accordance with the Asbestos Factsheet in Attachment 4, and redirected to an appropriately authorised disposal facility.
- Where suspected ACM fragments capable of being easily removed by hand are identified in a load, the suspect ACM must be removed from the load and either:
 1. Appropriately isolated and covered for asbestos testing. If testing of representative samples confirms the material is ACM it must be redirected to an appropriately authorised disposal facility. If testing confirms the material is not ACM the Waste can be added to the stockpile awaiting further processing; or
 2. Assumed to be ACM and redirected to an appropriately authorised disposal facility.
- All suspected or assumed ACM must be segregated. Material must be clearly labelled, kept secure and sufficiently contained to prevent the release of Asbestos including wind-blown fibres.
- Once all suspected or assumed ACM has been removed from a load in line with the above procedure, the residual Waste can be added to the stockpile waiting further processing.
- Records must be kept to ensure that the process from receipt of C&D material to the completion of the unloading procedure is auditable and that any loads found to contain suspect Asbestos will be traced back to the customer and originating site.

(Derived from Section 4.3 of the DER Asbestos Guidelines, page 12)

Attachment 3 – Asbestos Monitoring and Testing

Product testing and supply

The testing procedures detailed in this attachment have application to the three main recycled Products:

1. Recycled drainage rock 20-27mm;
2. Recycled sand, screened to <10mm; and
3. Recycled road-base, <19mm.

Stockpile inspection and sampling

- No sampling is required for recycled drainage rock, other than to determine by laboratory analysis whether a suspect fragment is Asbestos.
- For recycled road-base and screened sand, sampling is necessary and must be spread evenly over the whole stockpile surface or samples may be taken at regular intervals (as per conveyor sampling) during construction of the stockpile. Suspect ACM or areas must be targeted for sampling.
- Sampling of road base and screened sand Products must occur at a minimum rate of 40 locations per 4000 tonnes or 14 samples per 1000m³ of Product.

Conveyor sampling

- Sampling of road base and screened sand Products must occur at a minimum rate of 1 sample per 70m³ of a Product output. Suspect ACM or areas must be targeted for sampling.

Reduced sampling criteria

Once premises have demonstrated that their procedures are able to consistently produce recycled product that meets the product specification and undertake their activities to a high standard, DER may authorise a reduced product testing rate including down to 5 locations per 4000 tonnes (1 sample per 600m³) of product.

Sample treatment

- Each sample collected must be at least 10 litres in volume and then be divided into 2 size fractions (>7mm and <7mm) in the field by sieving through a 7mm screen or spread out for inspection on a contrasting colour fabric. The >7mm fraction should be examined for any suspect ACM and this be retained to calculate the level of contamination.

The <7mm fraction will need to be a minimum 500 ml, be wetted, and submitted for laboratory analysis. This sample size is considered necessary to improve the limit of detection for Asbestos in the analysis procedure.

Sample analysis method

- **>7mm sample fractions –**
 - Asbestos concentrations (ACM and Asbestos) should be calculated in accordance with the methods detailed in section 4.1.7 of Department of Health (DoH), 2009, Guidelines for the Assessment, Remediation and Management of Asbestos-Contaminated Sites in Western Australia. Averaging Asbestos levels across the stockpile is not appropriate and Asbestos levels within each sample should be reported.
- **<7mm sample fractions**
 - Each <7mm sample fraction must be analysed for Asbestos and ACM.
 - Asbestos analysis must be undertaken by an independent NATA certified laboratory and comply with *Australian Standard Method for the Qualitative Identification of asbestos in bulk samples* (AS4964-2004) or be demonstrated to be able to achieve the equivalent level of results to this Australian Standard.

AS4964-2004 is currently the only method in Australia that has NATA certification; however the practicable level of detection for this standard polarized light microscopy method (PLM) and dispersion staining (DS) is 0.01%w/w. It is possible however, to measure Asbestos contamination at or lower than 0.001% w/w where an increased sample size is used, however DER recognises that any reporting of concentrations below 0.01%w/w will be outside the conditions set by NATA.

Therefore, to determine whether recycled Products meet the product specifications for Asbestos content, samples must be a minimum of 500mL in size. Proponents must adopt one of the following analytical approaches:

1. Detected/non-detected – where any quantity of Asbestos is detected by the PLM method it must be assumed, without further analysis, to be in concentrations above the product specification limit of 0.001%w/w. A weight of evidence approach may be adopted i.e. the frequency and occurrence of other positive results in the stockpile can be taken into account to determine whether the stockpile being assessed is considered to meet the product specification or not; or
2. Where any quantity of Asbestos is detected by the PLM method, the sample is subject to further testing in the form of a semi-quantitative method with a lower level of detection for Asbestos. Either of the following methods are considered acceptable by DER:
 - The extraction and weighing of fibre bundles or fibre cement material from the total sample; and
 - Measuring the width and length (i.e. volume) of individual fibre by Phase Contrast Microscopy (PCM) and calculating the weight of fibres in the extracted sub-sample.

Interpreting inspection and sampling results

- If the visual inspection, sieve sample or analytical results identify Asbestos above or possibly above the 0.001%w/w criteria, then that stockpile or product process should be deemed potentially contaminated and considered for off-site disposal as Asbestos Waste, or subject to further actions to remediate it or to demonstrate its acceptability by further assessment. A record should be made of the decision-making and action taken (e.g. off-site disposal, further assessment undertaken etc.) in relation to that stockpile.
- In addition to the above, where Asbestos is identified above or possibly above the 0.001%w/w criteria, an investigation into the likely cause for the presence of Asbestos in the product should be undertaken and measures implemented to prevent a reoccurrence. A record of the investigation and its findings together with the details of any preventative measures implemented at the site should be made.

(Derived from Section 4.3 of the DER Asbestos Guidelines, pages 15 - 20)

Attachment 4 – Asbestos Factsheet

Appendix A: Asbestos Factsheet

TRANSPORTATION AND DISPOSAL OF ASBESTOS CONTAINING MATERIAL

The transportation and disposal of asbestos-containing material from commercial, industrial and other activities is regulated by the Environmental Protection (Controlled Waste) Regulations 2004 (Regulations). The Regulations apply obligations on the waste transporter to ensure the waste is safely transported to an approved location.

The Regulations define what is considered to be asbestos containing material for the purposes of the Regulations. This definition includes material which contains 0.001% or more of asbestos fibres weight/weight.

Please note that removal, handling, signage, security and onsite packaging of asbestos contaminated material must be carried out in accordance with the Local Government Authority, Department of Health and WorkSafe requirements. Contact the relevant authority for further information (refer to the end of this factsheet).

TRANSPORTATION OF ASBESTOS-CONTAINING MATERIAL (ACM)

The Regulations require asbestos containing material to be:

1. Separated from other material for disposal where that is reasonably practicable;
2. Wrapped and contained in a manner that prevents asbestos fibres entering the atmosphere during transportation on a road; and
3. Labelled or marked with the words "CAUTION ASBESTOS" in letters no less than 50 millimetres high on the individual packages and the transport container.

Further guidance on the transportation of asbestos containing materials is set out in the Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC:2002(2005)] and the *Health (Asbestos) Regulations (1992 or as amended)*. This Code of Practice recommends that:

- ACM is sealed in heavy duty 200 µm (minimum thickness) polythene plastic and clearly labelled with the appropriate signage warning.
- All drums or bins used to store and dispose of ACM should be in good condition, with lids and rims in good working order. The drums or bins should be lined with polythene plastic (200 µm minimum thickness) and be clearly labelled.
- If a waste skip bin, vehicle tray or similar container is used, the ACM should be double bagged before being placed in to the container or sealed in double-lined, polythene plastic (200 µm minimum thickness), and be clearly labelled. In the case of bulk loads such as contaminated soil an alternative is to double line the vehicle tray with the polythene and completely cover the load with a close fitting durable material such as the double layered polythene or a tarpaulin.

- In the case of ACM in the form of contaminated soil, it needs to be wetted down prior to removal and loading onto vehicle or bin.

DISPOSAL OF MATERIAL CONTAINING ASBESTOS

All material containing asbestos must be disposed at a disposal site appropriately licensed or registered under *Part V* of the *Environmental Protection Act 1986* to accept asbestos waste.

A person who disposes of material containing asbestos other than at a licensed disposal site commits an offence.

Receipts for the disposal of ACM should be retained or passed on to the disposal client to assist any subsequent regulatory investigation.

DUTY TO NOTIFY OTHERS OF THE PRESENCE OF ASBESTOS

A person who takes material containing asbestos to a disposal site **MUST** inform the operator of the facility that the material is, or contains asbestos waste. This notification should be provided in a written form however where notification is verbally provided the disposal site should make a written record of the notification.

PENALTIES FOR NON-COMPLIANCE

Penalties apply for offences committed under the *Environmental Protection Act 1986* and the *Environmental Protection (Controlled Waste) Regulations 2004*.

DISPOSAL SITES FOR MATERIAL CONTAINING ASBESTOS

For a map of landfills within the Metropolitan area visit the WA Waste Authority website at: www.zerowastewa.com.au/disposal/community/perthlandfills

Please contact the Local Government Authority or the facility on the number provided for more information before visiting the disposal site. In Regional areas contact the Local Government Authority for disposal site locations. Please note this list is subject to change and is only intended as a guide.

COUNCIL OR COMPANY	ADDRESS	SUBURB	POST CODE	PHONE NUMBER	LANDFILL CLASS
Buller Road Refuse Disposal Site	Lot 1701 Buller Rd	Waroona	6215	9733 1277	II
City of Armadale	Hopkinson Rd	Forrestdale	6112	9399 3935	II
City of Canning	Ranford Rd	Canning Vale	6155	9321 0606	II & III
City of Cockburn	Rockingham Rd	Henderson	6166	9411 3444	II
City of Rockingham	Millar Rd	Baldivis	6171	9524 2053	III
City of Stirling	238 Balcatta Rd	Balcatta	6021	9345 8555	Transfer station
Eastern Metro Regional Council	Toodyay Rd (Red Hill)	Gidgegannup	6083	9574 6235	III & IV
Eclipse Resources	Lot 180 Abercrombie Rd	Postans	6167	9381 5600	I
Mindarie Regional Council	1700 Marmion Ave	Mindarie	6030	9306 6300	II
RCG Pty Ltd	Lot 70/717 Hester Ave	Neerabup	6031	9407 5069	I
Shire of Gingin	Lot 10 Cockram Rd	Gingin	6503	9575 2211	II
South Perth Waste Transfer Station	Cnr Hayman Rd Thelma St	Como	6152	9367 2492	Transfer station
Wastestream Management	Ratcliffe Rd	Kwinana	6167	9439 1300	I
West Australian Landfill Services	Lot 200 and Lot 201 Shale Rd	South Cardup	6201	9525 5355	II
Western Metropolitan Regional Council	Cnr Lemnos & Brockway Rd	Shenton	6008	9384 2544	Transfer station

FURTHER INFORMATION AND CONTACTS

Local Government Authority

For information on demolition licence requirements and household queries contact an Environmental Health Officer at your Local Government Authority.

Department of Health

For information on asbestos cement products in your home, asbestos contaminated sites and frequently asked questions on asbestos, visit the Department of Health website at: www.public.health.wa.gov.au/2/867/2/asbestos_pm or Tel: 9388 4999.

Department of Consumer and Employment Protection – Worksafe

For information about asbestos in the workplace, licensed asbestos removalists and appropriate handling of asbestos including safety wear, visit the Worksafe website at:

www.commerce.wa.gov.au/WorkSafe/Content/Safety_Topics/Asbestos/ or Tel: 1300 307 877.

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.