



## Application for Licence Amendment

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

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<b>Licence Number</b>	L9169/2018/2
<b>Licence Holder</b>	Cleanaway Co Pty Ltd
<b>ACN</b>	127 853 561
<b>File Number</b>	DER2018/001491
<b>Premises</b>	Cleanaway Henderson Lot 300 on Plan 23084 24 Stuart Drive HENDERSON WA 6166 Legal description – Lot 300 on Plan 23084 Certificate of Title Volume 2202 Folio 933 As defined by the Premises map in Schedule 1 of the Revised Licence
<b>Date of Report</b>	9 September 2024
<b>Decision</b>	Revised licence granted

**A/MANAGER WASTE INDUSTRIES  
REGULATORY SERVICES**

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

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## 1. Decision summary

Licence L9169/2018/2 is held by Cleanaway Co Pty Ltd (licence holder) for Cleanaway Henderson (the Premises), located at 24 Stuart Drive Henderson.

This Amendment Report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the Premises. As a result of this assessment, Revised Licence L9169/2018/1 has been granted. The Revised Licence supersedes the existing Licence previously granted in relation to the Premises.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at:

<https://www.wa.gov.au/service/building-utilities-and-essential-services/integrated-essential-services/dwer-regulatory-documents>.

### 2.2 Application summary

On 12 August 2024, the Licence Holder submitted an application to the department to amend Licence L9169/2018/2 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- alignment of the discharge sampling frequency in Table 5 of Condition 7 with Trade Waste Permit 21873.
- alignment of the throughput quantity limit at Table 1 Condition 2 with the discharge quantity permitted in the Trade Waste Permit.
- addition of waste codes C100 and B100 at Table 1 Condition 2.

The proposed amendment is consistent with the current City of Cockburn planning approval (ref: 3319065), dated 7 September 2004.

**Table 1: Proposed throughput capacity changes**

Category	Current throughput capacity	Proposed throughput capacity	Description of proposed amendment
61	47,000 tonnes per annual period	146,000 tonnes per annual period	Trade Waste Permit 21873 permits discharge up to 400 kL/day, which equates to a maximum of 146,000 tonnes per annum.

#### 2.2.1 Alignment with Trade Waste Permit 21873

##### Discharge volume

Trade Waste Permit 21873, administered by Water Corporation, authorises the Licence Holder to discharge a maximum of 400 kL/day at 5 L/s, which equates to a maximum of 146,000 kL (tonnes) per annual period. This discharge volume is based on the existing infrastructure within the Premises, which is consistent with the infrastructure specified in Table 4 of the existing licence. Additional infrastructure has not been installed to achieve this discharge volume.

As such, the licence holder requests that the quantity limit for liquid waste acceptance within Table 1 of the existing licence be increased from 47,000 tonnes per annual period to 146,000 tonnes per annual period.

### Monitoring frequency

Trade Waste Permit 21873, with the attached 'Special Conditions for Self-Monitoring of Trade Waste V3 Permit 21873 V18', specifies the following monitoring details:

- Method of sampling: Autosampler.
- Type of sampling: Flow proportional composite.
- Duration of sampling period : 4 days/1 sample.
- Sampling frequency: Monthly.

The licence holder requests that the Frequency and Averaging Period columns in Table 5 of the licence be amended to reflect the specifications in Trade Waste Permit 21873.

### 2.2.2 Additional liquid waste types

The licence holder requests the inclusion of acidic solutions (controlled waste code B100) and basic (alkaline) solutions (controlled waste code C100) to the types of liquid waste authorised for acceptance onto the Premises, as specified in Table 1 of the licence.

The pH acceptance range proposed for the waste types are:

- Acidic solutions: pH 2.5 to 4
- Basic (alkaline) solutions: pH 10 to 12.5

The Premises is currently authorised to accept, treat and discharge a range of wastewaters impacted by controlled waste. Adding the capability to accept and treat B100 and C100 wastewaters through pH buffering would provide an alternative waste disposal pathway for the market.

No new treatment infrastructure is proposed, as the treatment of the new waste types would be undertaken with the existing infrastructure.

Trade Waste Permit 21873 does not currently authorise wastes B100 and C100 for acceptance at the Premises. The licence holder is currently in discussion with Water Corporation in relation to the approval of these additional wastes.

Trade Waste Permit 21873 also requires that discharged wastewaters must have a pH within the range 6 - 10 pH units upon discharge to sewer, preventing the discharge of B100 and C100 without appropriate treatment.

## 3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020b).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

### 3.1 Source-pathways and receptors

#### 3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during Premises operation which have been considered in this Amendment Report are detailed in Table 2 below. Table 2 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

**Table 2: Licence Holder controls**

Emission	Sources	Potential pathways	Proposed controls
Contaminated water	Spills and containment failure	Overland runoff and groundwater seepage	<ul style="list-style-type: none"> <li>- Existing infrastructure is unchanged from that assessed in previous licence amendments.</li> <li>- Facility is roofed and sealed with an impervious bunded hardstand and a sealed drainage collection network.</li> <li>- Quarantine area is fully sealed with an impervious bunded hardstand and 2 sealed sumps.</li> <li>- Any liquid that reports to the sealed sumps is transferred into the Tank Farm to be processed in the oily water treatment plant.</li> <li>- Spill kits stationed on-site which include absorbent pads.</li> <li>- Existing groundwater monitoring network on-site, being monitoring bores (BH1 – BH6).</li> <li>- Discharge to sewer to occur in accordance with Trade Waste Permit 21873.</li> </ul>
Odour	Waste unloading, storage, treatment and disposal	Air/windborne pathway	<ul style="list-style-type: none"> <li>- Existing infrastructure is unchanged from that assessed in previous licence amendments.</li> </ul>
Noise	Waste unloading, storage, treatment and disposal and associated vehicle movements at the site	Air/windborne pathway	<ul style="list-style-type: none"> <li>- The Premises is located in an industrial precinct which are also sources of noise.</li> <li>- Normal operating hours for this site are 0700 to 1700 weekdays.</li> <li>- The Licence Holder has a statutory obligation to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</li> </ul>
Fire risk (particulates and noxious gases)	Storage and mixing of incompatible waste materials	Air/windborne pathway	<ul style="list-style-type: none"> <li>- Existing infrastructure is unchanged from that assessed in previous licence amendments.</li> <li>- The Licence Holder currently holds a Dangerous Goods Site Licence (DGS014124) for the site</li> <li>- Site Emergency Management Plan (Version 01, May 2020) in place detailing fire response measures.</li> </ul>
Fire risk (fire-fighting runoff)		Overland runoff and groundwater seepage	

### 3.1.2 Receptors

In accordance with the *Guideline: Risk Assessments* (DWER 2020b), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DWER 2020a)).

**Table 3: Sensitive human and environmental receptors and distance from prescribed activity**

Human receptors	Distance from prescribed activity
Residential premises	1.7 km to the south-east
Neighbouring commercial/industrial premises	Immediately adjacent
Environmental receptors	Distance from prescribed activity
Cockburn Sound – marine ecosystem	620 m south-west of the Premises boundary
Coastal Park – Crown Reserve 39455 (Lot 4626 on Plan 221218)	230 m south of the Premises boundary
Conservation Park – Crown Reserve 39584 – Beeliar Regional Park (Lot 4628 on Plan 221217)	300 m south of the Premises boundary
Conservation Park – Crown Reserve 39752 – Beeliar Regional Park (Lot 301 on Plan 45080)	340 m east of the Premises boundary
Unallocated Crown Land – Bushland (Lot 503 on Plan 62396)	380 m north-east of the Premises boundary
Little Henderson South – Conservation category sumpland	500 m east of the Premises boundary
Brownman Swamp – Conservation category sumpland	830 m east of the Premises boundary
Lake Mount Brown – Conservation category sumpland	1.39 km south-east of the Premises boundary
Bush Forever Site no. 346 – Beeliar Regional Park	620 m south-west, 340 m east and 230 m south from the Premises boundary
Groundwater (not used for potable or industrial use)	<p>Groundwater levels at the Premises ranging from 5.57 metres below ground level (mBGL) to 6.27 mBGL.</p> <p>Regional groundwater flow is inferred to flow in a westerly/south-westerly direction towards the ocean (Cockburn Sound).</p> <p>The Premises area is mapped as a superficial formation characterised as Tamala Limestone (1:250 000 Geology Maps, Geoscience Australia); therefore soils at the premises would likely be considered sands derived from Tamala Limestone.</p>

## 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020b) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence] as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The Revised Licence L9169/2018/1 that accompanies this Amendment Report authorises emissions associated with the operation of category 61 activities at the Premises.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions <sup>2</sup> of licence	Reasoning
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
<b>Operation</b>								
Spills and containment failure during waste unloading, storage, treatment and disposal to sewer	Seepage and runoff from spills and containment failure.	Overland runoff and seepage to groundwater. Deterioration/ contamination of underlying groundwater and/or impacting surface water quality which may result in ecosystem disturbance.	Groundwater levels ranging from 5.57 mBGL to 6.27 mBGL at the Premises. Marine ecosystems – Cockburn Sound, 620 m south-west of the Premises boundary.	Refer to Section 3.1.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Y	<b>Condition 2</b> Condition 2 Condition 3 Condition 4 Condition 5 Condition 6 Condition 8 Condition 13	<ul style="list-style-type: none"> <li>- Existing infrastructure is unchanged from that assessed in previous licence amendments.</li> <li>- The capacity of the existing infrastructure is capable of the increased waste acceptance limit, as specified in Trade Waste Permit 21873.</li> <li>- The acceptance and treatment of waste types B100 and C100 occur within the existing infrastructure, which does not alter the risk profile in relation to containment.</li> <li>- The increased waste acceptance limit aligns with Trade Waste Permit 21873, with treatment and disposal also required to occur in accordance with the trade waste permit.</li> <li>- It is noted that an Environmental Protection Notice (EPN 202308) was issued to the licence holder on 29 September 2023 in relation to Per- and polyfluoroalkyl substances (PFAS) being reported in groundwater on the Premises at levels above the ecological water quality guideline for 99% species protection specified in the PFAS National Environment Management Plan 2.0. The matter is currently under investigation.</li> </ul>
Waste unloading and loading, storage, treatment and disposal to sewer	Odour	Air/windborne pathway causing impacts to health and amenity	Commercial/industrial properties located immediately adjacent to the Premises with the closest neighbouring buildings located adjacent west of the Premises boundary. Residences 1.7 km south-east of the Premises.	Refer to Section 3.1.1	C = Minor L = Possible <b>Medium Risk</b>	Y	Condition 6 Condition 11	<ul style="list-style-type: none"> <li>- Existing infrastructure is unchanged from that assessed in previous licence amendments.</li> <li>- The capacity of the existing infrastructure is capable of the increased waste acceptance limit, as specified in Trade Waste Permit 21873.</li> <li>- The additional acceptance volume is unlikely to substantially change the level of odour emissions from the Premises with the existing regulatory controls and existing infrastructure.</li> <li>- The acceptance and treatment of waste types B100 and C100 occur within the existing infrastructure, which does not alter the risk profile in relation to odour.</li> <li>- No recorded complaints have been lodged with DWER in relation to odour emissions from the premises.</li> </ul>
Waste unloading/loading, storage, treatment and disposal (to sewer) and associated vehicle movements at the site	Noise	Air/windborne pathway causing impacts to health and amenity	Commercial/industrial properties located immediately adjacent to the Premises with the closest neighbouring buildings located adjacent west of the Premises boundary. Residences 1.7 km south-east of the Premises.	Refer to Section 3.1.1	C = Minor L = Rare <b>Low Risk</b>	Y	Condition 11	<ul style="list-style-type: none"> <li>- The additional vehicle movements associated with the increase throughput are not expected to increase the noise risk profile.</li> <li>- The licence holder has a statutory obligation to comply with the <i>Environmental Protection (Noise Regulations) 1987</i>.</li> <li>- No recorded complaints have been lodged with DWER in relation to noise emissions from the premises.</li> </ul>
Storage and mixing of incompatible waste materials	Fire risk (particulates and noxious gases)	Air/windborne pathway causing impacts to health and amenity	Commercial/industrial properties located immediately adjacent to the Premises with the closest neighbouring buildings located adjacent west of the Premises boundary. Residences 1.7 km south-east of the Premises.	Refer to Section 3.1.1	C = Major L = Rare <b>Medium Risk</b>	Y	Condition 2 Condition 4 Condition 5	<ul style="list-style-type: none"> <li>- Existing infrastructure is unchanged from that assessed in previous licence amendments.</li> <li>- The capacity of the existing infrastructure is capable of the increased waste acceptance limit, as specified in Trade Waste Permit 21873.</li> <li>- The additional acceptance volume is unlikely to substantially change the fire risk profile at the Premises, given the existing regulatory controls and existing infrastructure.</li> <li>- The acceptance and treatment of waste types B100 and C100 occur within the existing infrastructure, which does not alter the risk profile in relation to fire risk.</li> </ul>
	Fire risk (fire-fighting runoff)	Overland runoff and seepage to groundwater. Deterioration/ contamination of underlying groundwater and/or impacting surface water quality which may result in ecosystem disturbance.	Groundwater levels ranging from 5.57 mBGL to 6.27 mBGL at the Premises. Marine ecosystems – Cockburn Sound, 620 m south-west of the Premises boundary.					

**Note 1:** Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

**Note 2:** Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

Licence: L9169/2018/2



## 4. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

**Table 5: Consultation**

Consultation method	Comments received	Department response
Local Government Authority (City of Cockburn) advised of proposal on 20 August 2024	None received	N/A
Licence Holder was provided with draft amendment on 28 August 2024	Waived consultation period	N/A

## 5. Conclusion

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

### 5.1 Summary of amendments

Table 6 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

**Table 6: Summary of licence amendments**

Condition no.	Proposed amendments
2, Table 1	Inclusion of Acidic solutions and Basic (alkaline) solutions to the liquid waste acceptance table, with additional specifications. Quantity limit increased to 146,000 tonnes per annual period, excluding PFAS contaminated waters.
4, Table 3	Inclusion of Acidic solutions and Basic (alkaline) solutions to the waste processing table.
7, Table 5	Monitoring requirements amended to align with Trade Waste Permit 21873.

## References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2019, *Guideline: Decision Making*. Perth, Western Australia.
3. DWER 2019, *Guideline: Industry Regulation Guide to Licensing*. Perth, Western Australia.
4. DWER 2020a, *Guideline: Environmental Siting*, Perth, Western Australia.
5. DWER 2020b, *Guideline: Risk Assessments*, Perth, Western Australia.

## Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY			
<b>Application type</b>			
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L9169/2018/2
		Relevant works approval number:	N/A <input type="checkbox"/>
Date application received	12 August 2024		
<b>Applicant and Premises details</b>			
Applicant name/s (full legal name/s)	Cleanaway CO Pty Ltd		
Premises name	Cleanaway Henderson		
Premises location	Lot 300 on Plan 23084 (Street address: 24 Stuart Drive, Henderson) Certificate of Title Volume: 2202; Folio:933		
Local Government Authority	City of Cockburn		
<b>Application documents</b>			
HPCM file reference number:	DWERDT990157		
Key application documents (additional to application form):	Trade Waste Permit		
<b>Scope of application/assessment</b>			
Summary of proposed activities or changes to existing operations.	<p><u>Licence amendment</u></p> <ol style="list-style-type: none"> <li>Alignment of the discharge sampling frequency in Table 5 of Condition 7 with the Trade Waste Permit.</li> <li>Alignment of the throughput quantity limit at Table 1 Condition 2 with the discharge quantity permitted in the Trade Waste Permit.</li> <li>Addition of waste codes C100 and B100 at Table 1 Condition 2.</li> </ol>		
Category number/s (activities that cause the premises to become prescribed premises)			
Table 1: Prescribed premises categories			
Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity	
Category 61: Liquid waste facility	47,000 tonnes per annual period	146,000 tonnes per annum	
<b>Legislative context and other approvals</b>			
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>	
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:	
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:	
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Through previous applications	

Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Planning approval is still valid. A2044140
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: Licence / permit not required.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Type: Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office:
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u> )? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i> )	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Environmental Protection (Controlled Waste) Regulations 2004</i>
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Within Area A of the Kwinana (atmospheric wastes) EPP
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Site is subject to SO2 requirements of Kwinana EPP.
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Classification: Possibly contaminated - investigation required Date of classification: 12/06/2024