



WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

Ass # 665

Bull # 691

State # 322

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

ADDITIONAL TUNNEL KILN (WHITEMANS BRICK PLANT) & FLUORIDE
SCRUBBER (MIDLAND BRICK OPERATIONS) (665)

MIDLAND BRICK COMPANY PTY LTD

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments (which are not inconsistent with the conditions or procedures contained in this statement) made in the Consultative Environmental Review and in response to issues raised following public submissions. These commitments are consolidated in Environmental Protection Authority Bulletin 691 (A copy of the commitments is attached).

2 Gaseous Fluoride Emissions

- 2-1 The proponent shall ensure that the total mass hydrogen fluoride emissions from the Midland Brick Company complex, including Whitemans Brick plant;
- do not exceed 0.7 grams per second during typical operations;
 - with plant at full capacity, are maintained at levels less than 0.8 grams per second for 80 percent of the time; and
 - never exceed 1.0 grams per second.

- 2-2 The proponent shall monitor and report on the emissions and environmental impacts of fluoride.

3 Acid Gas Emissions Monitoring

- 3-1 The proponent shall determine the extent of any environmental impacts arising from acid gas emissions from the combined operations.

- 3-2 To achieve the objectives of condition 3-1, prior to commissioning, the proponent shall submit to the Environmental Protection Authority an acid gas emission monitoring programme for the combined operations.

- 3-3 Within three months of commissioning, the proponent shall implement the acid gas emission monitoring programme required by condition 3-2.

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4 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 4-1 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

5 Decommissioning

The satisfactory decommissioning of the project, removal of the plant and installations and rehabilitation of the site and its environs is the responsibility of the proponent.

- 5-1 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan.
- 5-2 The proponent shall implement the plan required by condition 5-1.

6 Proponent

These conditions legally apply to the nominated proponent.

- 6-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

7 Time Limit on Approval

The environmental approval for the proposal is limited.

- 7-1 If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority.)

8 Compliance Auditing

In order to ensure that environmental conditions and commitments are met, an audit system is required.

- 8-1 The proponent shall prepare periodic "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority.

Procedure

- 1 The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.
- 2 If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Note

The proponent will be required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Environmental Protection Act.

Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

- 6 OCT 1993

Environmental Management Commitments Consolidated List

ADDITIONAL TUNNEL KILN (WHITEMANS BRICK PLANT) & FLUORIDE SCRUBBER (MIDLAND BRICK OPERATIONS) (665)

MIDLAND BRICK COMPANY PTY LTD

General Commitments

Midland Brick Company Pty Ltd will adhere to the proposal as assessed by the Environmental Protection Authority and will fulfil the commitments made below.

The increased production capacity in the form of an additional tunnel kiln and dryers will be built according to all relevant Government statutes and requirements and to the satisfaction of the Environmental Protection Authority.

1. Waste Management Commitments

All waste generated on the site will be disposed of by licensed disposal companies.

- 1 waste machinery oil from plant and vehicles will be recycled
- 2 solid waste will be disposed of at approved sites by licensed contractors
- 3 rain water from the site will be discharged in to the Swan River via an existing settlement pond.

2. Noise

The proponent will comply with EPA noise regulations and will carry out further noise reduction measures if necessary to ensure compliance with EPA requirements.

3. Stack Emissions

Hydrogen Fluoride

- 3.1 In order to ensure there is no increase in total fluoride emissions as a result of the new kiln at Whitemans Brick, Midland Brick Company will commit to the construction of an additional fluoride scrubber at the Midland Brick factory as well as a scrubber for the proposed kiln. As a result of this commitment, once these changes are implemented, the Company will operate its plants with the following hydrogen fluoride mass emission:
 - during typical operation not exceed 0.7 gram per second;
 - with plant at full capacity maintain levels less than 0.8 gram per second for 80% of the time; and
 - never exceed 1.0 grams per second.

- 3.2 Quarterly reports of both source emissions from stacks as well as ambient fluoride concentrations will be produced and made available to the EPA.
- 3.3 Should the current level of hydrogen fluoride emissions cause an unacceptable impact in the receiving environment the Company will co-operate with the EPA in order to ensure that the required corrective action is undertaken.
- 3.4 Once the new kiln is operational the proponent will commit to a reduction in the current level of fluoride emissions during periods when the plant is not being operated at full capacity.
- 3.5 **Smoke and Dust Emissions**
The Company will commit to meeting all its existing licence requirements for dark smoke and dust emissions.

4. Biological Surveys

The Company will continue to engage a consultant acceptable to the EPA to assess the impact of fluorides on vegetation in the vicinity of the brickworks.

5. Swan Valley Fluoride Programme

The Company further commits to accepting the recommendations of the Swan Valley Fluoride Programme.

"Summary of Recommendations of the Swan Valley Fluoride Programme

1. That the clay product manufacturers in the vicinity of Midland, Caversham and Hazelmere conduct ongoing fluoride monitoring programmes, as required by the Environmental Protection Authority, which will provide an estimate of fluoride emissions into the atmosphere and measures of ambient concentrations at selected locations.

2. That the clay product manufacturers in the vicinity of Midland, Caversham and Hazelmere conduct occasional biological surveys to assess fluoride induced stress on vegetation in the vicinity of their operations.

3. That clay product manufacturers located in the vicinity of Midland, Caversham and Hazelmere maintain their pollution control equipment to a standard which ensures airborne fluoride levels are kept below acceptable air quality standards adopted by the Environmental Protection Authority".

6. Technological Change

The Company will further commit to keep up to date with emission control technology. Where practical improvements in emission control technology occur these will be implemented.