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Published on: 3 September 2015

Statement No. 1016

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(*Environmental Protection Act 1986*)

KWINANA WASTE TO ENERGY PROJECT

Proposal: To build and operate a waste to energy plant and brick making facility on Lot 9500 Leath Road, Kwinana in the Kwinana Industrial Area.

Proponent: Kwinana WTE Project Co Pty Ltd
Australian Company Number 165 661 263

Proponent Address: Lot 9500 Leath Road, Kwinana WA 6167

Assessment Number: 1945

Report of the Environmental Protection Authority: 1538

Pursuant to section 45 of the *Environmental Protection Act 1986* it has been agreed that the proposal described and documented in Table 1 and 2 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

1 Proposal Implementation

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal has been approved under the EP Act.

2 Contact Details

2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

3 Time Limit for Proposal Implementation

3-1 The proponent shall not commence implementation of the proposal after the expiration of five (5) years from the date of this Statement, and any commencement, within this five (5) year period, must be substantial.

3-2 Any commencement of implementation of the proposal, within five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.

4 Compliance Reporting

4-1 The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation, whichever is sooner.

4-2 The Compliance Assessment Plan shall indicate:

- (1) the frequency of compliance reporting;
- (2) the approach and timing of compliance assessments;
- (3) the retention of compliance assessments;
- (4) the method of reporting of potential non-compliances and corrective actions taken;
- (5) the table of contents of Compliance Assessment Reports; and
- (6) public availability of Compliance Assessment Reports.

4-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.

4-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.

4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.

4-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and

- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.

5 Public Availability of Data

5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this Statement.

5-2 If any data referred to in condition 5-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make this data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

6 Waste Acceptance Monitoring and Management Plan

6-1 The proponent shall demonstrate that waste types not permitted for processing, detailed in Table 2 of Schedule 1 are not processed at this facility by implementing conditions 6-2 to 6-8.

6-2 Prior to commencement of operations the proponent shall prepare and submit a Waste Acceptance Monitoring and Management Plan to the CEO. The Waste Acceptance Monitoring and Management Plan shall:

- (1) specify management actions that will be implemented to ensure the management objective in condition 6-1 is achieved;
- (2) provide a protocol or procedure for the review of the Waste Acceptance Monitoring and Management Plan to ensure that the Waste Acceptance Monitoring and Management Plan is meeting the objective specified in condition 6-1;
- (3) detail the proposed monitoring methodology to:
 - a. identify the supplier of each waste load;
 - b. record all waste loads received on site;
 - c. describe waste types accepted on site and categorise as householder source separated municipal solid waste, material recovery facility residuals or alternative waste treatment residuals from the processing of municipal solid waste;
 - d. record the amount of waste accepted on site;
 - e. record waste types fed into the combustion chamber; and
 - f. record waste types disposed off-site.

- (4) detail a procedure to summarise the results of monitoring outlined in condition 6-2(3).
- 6-3 After receiving notice in writing from the CEO that the Waste Acceptance Monitoring and Management Plan satisfies the requirements of condition 6-2, the proponent shall:
- (1) implement the monitoring and management actions in accordance with the requirements of the Waste Acceptance Monitoring and Management Plan; and
 - (2) continue to implement the management actions in accordance with the requirements of the Waste Acceptance Monitoring and Management Plan until the CEO has confirmed by notice in writing that it has been demonstrated that the objective in condition 6-1 has been met and therefore the implementation of the management actions are no longer required.
- 6-4 The proponent shall retain the results of monitoring required by condition 6-3 and shall make those results available when requested by the CEO.
- 6-5 The proponent shall provide the summary of the results of monitoring required by condition 6-3 to the CEO every six months from the date of commencement until the CEO has confirmed by notice in writing that provision of the summary is no longer required.
- 6-6 The proponent may review and revise the Waste Acceptance Monitoring and Management Plan.
- 6-7 The proponent shall review and revise the Waste Acceptance Monitoring and Management Plan as and when directed by the CEO.
- 6-8 The proponent shall implement the latest revision of the Waste Acceptance Monitoring and Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 6-2.

7 Ash Characterisation and Reuse

- 7-1 The proponent shall demonstrate that the ash produced by the plant is suitable for reuse to make by-products bricks, pavers and /or construction aggregate, and that the by-products are fit for use by implementing conditions 7-2 to 7-11.
- 7-2 Prior to the commissioning of the brick making facility, the proponent shall prepare and submit an Ash Characterisation Survey Plan to the CEO. The Ash Characterisation Survey Plan shall:
- (1) when implemented, determine the compositional consistency of the ash and its suitability for reuse in the production of the by-products; and
 - (2) detail the proposed methodology to measure compositional consistency with variations in waste inputs (and over a suitable time period) to demonstrate that the ash is suitable for reuse in the production of by-products.

- 7-3 After receiving notice in writing from the CEO that the Ash Characterisation Survey Plan satisfies the requirements of condition 7-2, the proponent shall undertake the characterisation of bottom ash and fly ash in accordance with the Ash Characterisation Survey Plan.
- 7-4 On completion of the Ash Characterisation Survey the proponent shall report to the CEO on the following:
- (1) completion of the Ash Characterisation Survey; and
 - (2) the results of the Ash Characterisation Survey.
- 7-5 Prior to the commissioning of the brick making facility, the proponent shall prepare and submit an Ash Reuse Management Plan. The Ash Reuse Management Plan shall:
- (1) specify the testing procedure and criteria that will be used to ensure that the by-products are fit for each identified use;
 - (2) detail the batch testing methods and testing frequency for by-products to verify/certify that they meet the criteria identified in condition 7-5(1) above;
 - (3) identify any end of life risks for further reuse or disposal of by-products; and
 - (4) identify disposal options and specify the fate of by-products that fail to meet the criteria specified in condition 7-5(1) when tested in accordance with the methods required by condition 7-5(2).
- 7-6 After receiving notice in writing from the CEO that the Ash Reuse Management Plan satisfies the requirements of condition 7-2, the proponent shall implement the management actions in accordance with the requirements of the Ash Reuse Management Plan.
- 7-7 The proponent shall continue to implement the management actions and monitor in accordance with the requirements of the Ash Reuse Management Plan until the CEO has confirmed by notice in writing that it has been demonstrated that the objective in condition 7-1 is being and will continue to be met and therefore the implementation of the management actions and monitoring is no longer required.
- 7-8 In the event that by-products fail to meet the criteria in the Ash Reuse Management Plan the proponent shall:
- (1) reprocess the by-products; or
 - (2) dispose of the by-products to an appropriate class landfill.
- 7-9 The proponent may review and revise the Ash Reuse Management Plan.
- 7-10 The proponent shall review and revise the Ash Reuse Management Plan as and when directed by the CEO.

7-11 The proponent shall implement the latest revision of the Ash Reuse Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 7-5.

[Signed 3 September 2015]

Albert Jacob MLA
MINISTER FOR ENVIRONMENT; HERITAGE

Schedule 1

Table 1: Summary of the Proposal

Proposal Title	Kwinana Waste To Energy Project
Short Description	<p>This proposal is for a waste to energy plant using Martin Gmbh reverse acting grate combustion technology and brick making plant and associated infrastructure, on Lot 9500 Leath Road, Kwinana, which includes the following:</p> <ul style="list-style-type: none"> • waste receiving area; • two fully automated furnaces or lines; • steam system with electricity generation; • flue gas cleaning Air Pollution control system (one per line); • two lines, two flues (one per line) and one gas stack. • a brick making facility; • a control room; • laboratory; and • associated infrastructure.

Table 2: Location and authorised extent of physical and operational elements

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Waste to energy plant and brick making facility.	Figure 2 and coordinates of the development envelope in schedule 2, table 4.	Clearing of no more than 1 hectare within the development envelope.
Waste receival volume		Up to 400,000 tonnes per annum
Emissions output		Shall not exceed the emissions limits specified in Annex V of the European Union Waste Incineration Directive 2000/76 or its updates.
Waste types permitted to be processed		<ul style="list-style-type: none"> • householder source separated residual MSW; • material recovery facility residuals; • alternative waste treatment residuals; • residuals from processing of MSW; and • refuse collected from small businesses (i.e. rateable

		businesses) where such a collection is carried out in conjunction with local government residual MSW collection.
Waste types not permitted to be processed.		<ul style="list-style-type: none"> • Scheduled wastes, as defined by ANZECC for the <i>National Strategy for the Management of Scheduled Waste (1992)</i>; • medical waste; • radioactive waste; • asbestos; • liquid and oily wastes; • contaminated soils; • tyres; • animal carcasses; • waste with a halogen content greater than 1%; • highly corrosive or toxic liquids or gases such as strong acids or chlorine or fluorine; • commercial and industrial wastes; • construction and demolition wastes; and • dewatered biosolids/sewage sludge and biomass.

Table 3: Abbreviations and Definitions

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
MSW	municipal solid waste

Figures (attached)

Figure 1 Regional context

Figure 2 Development envelope (This figure is a representation of the coordinates shown in Table 4 of Schedule 2)



Figure 1: Regional context



Figure 2: Development envelope

Table 4: Development Envelope Coordinates

Coordinate No	Easting	Northing
1	384720.47	6435668.39
2	384980.06	6435668.44
3	384979.59	6435538.32
4	384704.40	6435538.35

Attachment 1 to Ministerial Statement 1016

Change to proposal approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces Schedule 1 of Ministerial Statement 1016.

Proposal: Kwinana Waste to Energy Project

Proponent: Kwinana WTE Project Co Pty Ltd

Changes:

- amendment to waste types permitted to be processed – inclusion of commercial and industrial waste, which incorporates refuse collection from small businesses (i.e. rateable small businesses) where such a collection is carried out in conjunction with local government residual MSW collection; and
- amendment to waste types permitted to be processed – inclusion of pre-sorted construction and demolition waste.

Table 1: Summary of the Proposal

Proposal Title	Kwinana Waste To Energy Project
Short Description	<p>This proposal is for a waste to energy plant using Martin Gmbh reverse acting grate combustion technology and brick making plant and associated infrastructure, on Lot 9500 Leath Road, Kwinana, which includes the following:</p> <ul style="list-style-type: none"> • waste receiving area; • two fully automated furnaces or lines; • steam system with electricity generation; • flue gas cleaning Air Pollution control system (one per line); • two lines, two flues (one per line) and one gas stack; • a brick making facility; • a control room; • laboratory; and • associated infrastructure.

Table 2: Location and authorised extent of physical and operational elements

Element	Location	Previously Authorised Extent	Authorised Extent
Waste to energy plant and brick making facility	Figure 2 and coordinates of the development envelope in schedule 2, table 4.	Clearing of no more than 1 hectare within the development envelope.	Clearing of no more than 1 hectare within the development envelope.
Waste receival volume		Up to 400,000 tonnes per annum	Up to 400,000 tonnes per annum
Emissions output		Shall not exceed the emissions limits specified in Annex V of the	Shall not exceed the emissions limits specified in Annex V of the European

Element	Location	Previously Authorised Extent	Authorised Extent
Waste types permitted to be processed		<p data-bbox="539 241 893 344">European Union Waste Incineration Directive 2000/76 or its updates.</p> <ul data-bbox="539 349 893 1057" style="list-style-type: none"> <li data-bbox="539 349 893 452">• householder source separated residual MSW; <li data-bbox="539 474 893 542">• material recovery facility residuals; <li data-bbox="539 564 893 631">• alternative waste treatment residuals; <li data-bbox="539 654 893 757">• residuals from processing of MSW; and <li data-bbox="539 779 893 1057">• refuse collected from small businesses (i.e. rateable businesses) where such a collection is carried out in conjunction with local government residual MSW collection. 	<p data-bbox="938 241 1286 344">Union Waste Incineration Directive 2000/76 or its updates.</p> <ul data-bbox="938 349 1324 1778" style="list-style-type: none"> <li data-bbox="938 349 1324 452">• householder source separated residual MSW; <li data-bbox="938 474 1324 542">• material recovery facility residuals; <li data-bbox="938 564 1324 631">• alternative waste treatment residuals; <li data-bbox="938 654 1324 721">• residuals from processing of MSW; <li data-bbox="938 743 1324 1196">• commercial and industrial waste, defined as wastes generated by businesses and industries (such as shopping centres, restaurants and offices) and institutions (such as schools, hospitals and government offices); and <li data-bbox="938 1218 1324 1778">• pre-sorted construction and demolition waste resulting from demolition, erection, construction, refurbishment or alteration of buildings or from the construction, repair or alteration of infrastructure-type development (such as roads, bridges, dams, tunnels, railways and airports).
Waste types not permitted to be processed		<ul data-bbox="539 1787 893 2096" style="list-style-type: none"> <li data-bbox="539 1787 893 2002">• scheduled wastes, as defined by ANZECC for the <i>National Strategy for the Management of Scheduled Waste</i> (1992); <li data-bbox="539 2024 893 2058">• medical waste; <li data-bbox="539 2080 893 2096">• radioactive waste; 	<ul data-bbox="938 1787 1324 2096" style="list-style-type: none"> <li data-bbox="938 1787 1324 2002">• scheduled wastes, as defined by ANZECC for the <i>National Strategy for the Management of Scheduled Waste</i> (1992); <li data-bbox="938 2024 1324 2058">• medical waste; <li data-bbox="938 2080 1324 2096">• radioactive waste;

Element	Location	Previously Authorised Extent	Authorised Extent
		<ul style="list-style-type: none"> • asbestos; • liquid and oily wastes; • contaminated soils; • tyres; • animal carcasses; • waste with a halogen content greater than 1%; • highly corrosive or toxic liquids or gases such as strong acids or chlorine or fluorine; • commercial and industrial wastes; • construction and demolition wastes; and • dewatered biosolids/sewage sludge and biomass. 	<ul style="list-style-type: none"> • asbestos; • liquid and oily wastes; • contaminated soils; • tyres; • animal carcasses; • waste with a halogen content greater than 1%; • highly corrosive or toxic liquids or gases such as strong acids or chlorine or fluorine; and • dewatered biosolids/sewage sludge and biomass.

Note: Text in **bold** in Table 2 indicates a change to the proposal.

Table 3: Abbreviations

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
MSW	municipal solid waste

Figures – All previous Figures in Schedule 1 still apply to the proposal.



Dr Tom Hatton
 CHAIRMAN
 Environmental Protection Authority
 under delegated authority

Approval date: 31 Jan 2017