

Environmental Approvals of a new bulk product for export/import through Port of Esperance



REV.	DATE	DESCRIPTION	PREPARED	REVIEWED	APPROVED
0	13/08/18	Issued for Use	Alex Leonard	Scott Bates	Scott Bates
1	2/3/2019	Removal of SP bulk product procedure and referral to DWER guidelines	Alex Leonard		
2	28/5/2019	Update on resources required for trial shipment process	Alex Leonard		

Purpose

This document has been prepared to provide guidance to potential new clients to the Port on the requirements, and likely timeframes, on statutory environmental approvals required by the state before new products are allowed to be handled by the port or other stevedores. Thank you for your interest in trade through Southern Ports.

Legislative process and requirements

Port Authorities hold an Environmental Licence, issued and regulated by the Department of Water and Environmental Regulation (DWER), covering their operations in relation to handling bulk granular products including minerals. The licence specifies a number of conditions by which the Port, as the licence holder, must operate under as well as the cargoes which it is approved to handle.

Any new cargoes, or new projects, not covered by the licence must be formally applied to seek a 'licence amendment' prior to operation. The formal application for a licence amendment must come from the licence holder, namely the relevant Port Authority, to DWER.

It is important to know upfront that, once submitted, the existing licence amendment process **for ongoing trade takes at least 60 working days** through DWER and in experiences across West Australian Ports, has been known to take **up to 18 months**. These approvals usually require modelling work on dust and noise from specialist environmental consultant. Any missing information or requests for further information will extend these timeframes.

Legislation that came into effect in August 2018 sped-up this process with assessment timeframes being reduced to **30 calendar days for trial shipments of bulk product (low hazards) to ensure trade is not unnecessarily delayed**. This new process requires a trial notification to be submitted to DWER that includes:

- Product quality information summarising the products hazards (refer to Section 4) – note we can recommend a contractor to project manage sampling and analyses this for you. **The laboratory analytical results typically take 4 to 6 weeks to complete**. The sooner this work is commissioned the quicker our submission can be finalised;
- The loading methods and controls to be clearly articulated and agreed with the Port;
- An effective monitoring program that will measure any potential emissions is to be proposed according to DWER guidance;
- An environmental risk assessment to be conducted on the above information using DWER format;
- The duration (up to 12 months) volume of number of shipments to be nominated;
- 30 days notice is provided with all of this information ahead of first trial shipment.

During the trial shipment:

- The agreed loading controls, monitoring and other commitments will be fully implemented and any change in method or product must be formally agreed with DWER;
- Periodic monitoring reports on these shipments to be submitted to the regulator; and
- A formal application for a licence permitting an ongoing trade is submitted at least three months before the end of the trial that summarises the actual

environmental risks observed during the trial. This submission must contain all relevant information and be well-presented to ensure continuous trade.

- Note that DWER have the power to cancel the trial shipment approval by written notice which would be made public if there are environmental concerns.

Please consult the DWER guidelines for further details of the process particularly the last page of these guidelines that has a flow chart summarising the process. The DWER guidelines can be downloaded at:

https://www.der.wa.gov.au/images/documents/our-work/licences-and-works-approvals/Port_Authority_bulk_handling_trials_-_guideline.pdf

To date, the trial shipment process has been conducted in-house across two different products and the clients were only required to organise the product quality assessments by the analytical laboratories.

For more complex assessments for products that are highly hazardous, the available Port resources maybe limiting to your timelines you may need to secure more resources to acquire and expedite these approvals. The Ports resources are prioritised to manage risks from its existing operations, its ongoing statutory compliance commitments and then your approvals. In the event of more complex assessments, the Port will endeavour to facilitate approval of your trade by:

- Providing information about the Port including product handling infrastructure, legislative and internal requirements and the sensitivity of the surrounding environment and community;
- Liaising with other Port Authorities, DWER and other Stakeholders
- Providing advice on DWER's preferred formats to plan documentation;
- Organising open days to brief the community as required; and
- Review of documentation before submission

A summary of the overall process is provided on the next page.

Note: If the product is a higher risk it may require monitoring works and reports additional to normal Port monitoring during the trial shipments that could incur Port charges or those of an external service provider.

Preparation of a trial shipment notification or formal licence amendment

#	Step	Description	Client	Port Authority
1	Preliminary discussion	Port meets with the client to discuss project and resources. Generally any block of work requiring over four hours of continuous staff time will be charged back to the client. Decide on directly applying for ongoing trade or via trial shipment process and plan information requirements	X	X
2	Evidence gathering	Commence information gathering including product quality and loading controls. Commission any specialist testing, emissions modelling or advice required for submission	X	X
3	Draft Report	Draft the project summary report	X	
4	Review Draft Report	Review and comment phase		X
5	Amend Draft Report	Amend draft report based on comments	X	
6	Stakeholder liaison (If required)	Present at the Port Consultative Committee and/or organise an open community briefing		
7	Finalise Report and Submit	Finalise Project Summary Report and formally submit to Port Authority.	X	
7A	Sign legal documentation with Southern Ports associated with the trial	Any (further) legal documentation between Southern Ports and client required in relation to port access including the client's agreement to comply with all DWER requirement under its direct responsibility e.g. Product quality NOTE: any approval by Southern Ports for port access is a separate matter and the submission of a request for DWER approval does not imply that a port access licence will necessarily be granted by Southern Ports ”.	X	
8	Licence Amendment submission	Prepare and submit trial notification or licence amendment to DWER		X
9	DWER review and response	30 calendar days for DWER to respond on trial notification, up to 3 to 18 months on formal licence amendment		X

Thank you again for your interest. The following section summarises initial project requirements. We look forward to working with you. #

Disclaimer: Although every effort has been made to provide the best solution, the advice and recommendations in the report may not prove to be correct or workable in practice and actual outcomes may vary such that no guarantee or assurance is given that any estimate, plan, task, solution or projection will be achieved or materialise as stated. Publication of the report as envisaged is at the Company's sole risk and SP disclaims all liability (except for any liability which by law cannot be excluded), for any unworkability of, error, inaccuracy in, or omission from, the information contained in the report or any loss or damage suffered by any person directly or indirectly through relying on this information.

**Section 1: Proponent Details
(to be completed by the applicant)**

Please provide the key information:

Company Name: _____

Trading Name (if different): _____

Company Street Address: _____

Company Postal Address: _____

Key Company Representative:

Name: _____

Email: _____

Mobile: _____

**Section 2: Project Details
(to be completed by the applicant)**

Please provide the following key information relating to the Project.

Name of Mine: _____

Location of Mine (address, nearest town and insert map): _____

Proposed Commencement Dates:

First Product Available at Mine: _____

First Shipment: _____

Likely Haulage Method, Numbers and Configuration: _____

Name of Haulage Roads to be Utilised:

Proposed Location and Type of Storage: _____

Proposed Duration of Project: _____

Preferred Port: _____

Proposed Annual Volumes (export or import): _____

Maximum Daily Volume of Export: _____

Maximum and Target Single Shipment Volume: _____

Proposed Frequency of Export: _____

Preferred Loading Methodology: _____

Anticipated Gross Loading Rate: _____

Section 3: Product Details (to be completed by the applicant)

Please provide the key information:

Product Name: _____

Other Names: _____

Form/s (Concentrate, Lump, Fines): _____

Further product details will be provided in the Material Safety Data Sheet and required laboratory analysis reports. See Section 4.

Section 4: Required Documents (to be completed by the applicant)

The following documents must be commissioned and submitted in a PDF. (please tick)

- Health and Safety Risk Assessment** identifying/including:
 - Health and environmental risks associated with chemical makeup of the Product. Environmental risks to the environment, public health and amenity.
 - Sources of emissions (for example, product transfer points, ship loading, baghouse or discharge pipelines) including fugitive emissions (for example noise, dust or odour).
 - Types of emissions (physical, chemical, or biological)
 - Volumes, concentrations and durations of emissions
 - Proposed controls for mitigation of all identified risks.
- Material Safety Data Sheet** that meets the National Code of Practice for the Preparation of Material Safety Data Sheets, 2nd Edition [NOHSC:2011(2003)].

Final decisions on the product quality assessments will be made during preliminary discussions, but typically include:

- Declaration of levels of ionizing radiation** to determine compliance with relevant criteria
- Declaration of levels of respirable minerals** including % respirable silica, asbestos or other respirable components;

- Particle Size Distribution Report** – please submit in a PDF Report format from an independent and recognised analytical laboratory and signed by the laboratory Manager. Include the % of material that is less than 10 µm of the total material.
- Dust Extinction Moisture and Transportable Moisture Limit (TML) Report**
Derived from application of AS4156.6-2000.
- Chemical Composition Report** – including total and leachable metals and other chemicals present in the Product.
- Odour analyses:** If the product has detectable odour, potential impacts to Port workers and the surrounding community must be assessed and suitable controls recommended minimising any potential impacts.
- Angle of Repose** – to determine storage capacity.
- Bulk Density** to plan handling logistics.
- Flow Property Report** – in compliance with the IMO Code of Safe Practice for Bulk Solid Cargoes 2004' as determined by an independent and recognised analytical laboratory (e.g. Jenike or Tunra Bulk Solids).

Before proceeding with the above analyses, please review the information provided in the DWER guidelines that can be downloaded at:

https://www.der.wa.gov.au/images/documents/our-work/licences-and-works-approvals/Port_Authority_bulk_handling_trials_-_guideline.pdf