



Decision Document

Environmental Protection Act 1986, Part V

Licensee: Woodside Burrup Pty Ltd

Licence: L8752/2013/2

Registered office: Woodside Plaza
240 St Georges Terrace
PERTH WA 6000

ACN: 120 237 416

Premises address: Pluto Liquefied Natural Gas (LNG) Project
Lot 384 Deposited Plan 220146, Lot 572 on Deposited Plan
28209 and Lot 574 on Deposited Plan 28209
BURRUP WA 6714

Issue date: Monday, 28 July 2014

Commencement date: Friday, 1 August 2014

Expiry date: Wednesday, 31 July 2019

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue an amended licence. The DER considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Fiona Roser
Licensing Officer

Decision Document authorised by: Jonathan Bailes
Delegated Officer



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1 Purpose of this Document

This decision document explains how the DER has assessed and determined the application and provides a record of the DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to the DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



2 Administrative summary

Administrative details													
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>												
Activities that cause the premises to become prescribed premises	<table border="1"> <thead> <tr> <th>Category number(s)</th> <th>Assessed design capacity</th> </tr> </thead> <tbody> <tr> <td>10</td> <td>6 million tonnes per annual period</td> </tr> <tr> <td>34</td> <td>6 million tonnes per annual period</td> </tr> <tr> <td>52</td> <td>160 megawatts</td> </tr> <tr> <td>61</td> <td>36,000 – 146,000 tonnes per annual period</td> </tr> <tr> <td>85</td> <td>68 cubic metres per day</td> </tr> </tbody> </table>	Category number(s)	Assessed design capacity	10	6 million tonnes per annual period	34	6 million tonnes per annual period	52	160 megawatts	61	36,000 – 146,000 tonnes per annual period	85	68 cubic metres per day
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	34	6 million tonnes per annual period											
	52	160 megawatts											
	61	36,000 – 146,000 tonnes per annual period											
85	68 cubic metres per day												
Application verified	Date: N/A												
Application fee paid	Date: N/A												
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>												
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>												
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>												
Commercial-in-confidence claim outcome	N/A.												
Is the proposal a Major Resource Project?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>												
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	<table border="1"> <tr> <td>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></td> <td> Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input checked="" type="checkbox"/> </td> </tr> </table>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input checked="" type="checkbox"/>										
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Is the proposal subject to Ministerial Conditions?	<table border="1"> <tr> <td>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></td> <td> Ministerial statement No: 757 EPA Report No: 1259 </td> </tr> </table>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No: 757 EPA Report No: 1259										
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Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>												
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>													
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>													



3 Executive summary of proposal and assessment

This Licence amendment application relates to the removal of the conditions requiring Woodside Burrup Pty Ltd (WBPL) to conduct ambient air quality monitoring. Ambient air quality and metrological monitoring conditions were previously included on the Licence to reflect commitments made under the Air Quality Management Plan (AQMP) developed under Part IV of the *Environmental Protection Act 1986*. The monitoring program, which included 24 months of monitoring for oxides of nitrogen and ozone, concluded in December 2013.

Following a review of the monitoring results, the Environmental Protection Authority (EPA) granted approval for WBPL to pause the air quality monitoring program until further notice. Considering the EPA's decision, WBPL has submitted an application to amend the Licence (L8752/2013/2) to remove conditions 3.8.1 and 3.9.1 relating to ambient air quality monitoring for oxides of nitrogen and ozone. DER's decision making is detailed in the Decision Table below. Where other changes have been made to the Licence conditions as a result of this amendment, these have also been detailed in the Decision Table.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	Previously 1.2.1 – 1.2.5	<p><i>Guidance Statement: Setting conditions</i> stipulates that licenses may be granted subject to conditions that are valid, enforceable and risk based. General conditions 1.2.1 – 1.2.5 are not considered to be consistent with the <i>Guidance Statement: Setting Conditions</i> as they are not sufficiently clear or certain. Accordingly, these conditions have been removed from the Licence.</p> <p>Unauthorised discharges of environmentally hazardous materials are subject to the provisions of the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i>. The general provisions of the <i>Environmental Protection Act 1986</i> relating to causing pollution and environmental harm also apply.</p> <p>Contaminated stormwater from various areas of the premises is segregated and treated as follows:</p> <ul style="list-style-type: none"> Accidentally Oil-Contaminated (AOC) - drainage system collects surface water from kerbed areas in which there are sources of potential contamination, e.g. equipment containing liquid hydrocarbons. AOC drainage is tested and directed to the Effluent Treatment Plant (ETP) for treatment (if contaminated), or to the clean water drainage system (if not contaminated). Continuously Oil-Contaminated (COC) - drainage system collects oily drainage from equipment via localised kerbs, drip trays, drain trays, funnels, etc. which drain to local sumps that are either emptied by vacuum tanker or pumped direct to the ETP. 	<p>Guidance Statement: Setting Conditions</p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i></p> <p><i>Environmental Protection Act 1986</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<ul style="list-style-type: none"> Process Closed Drainage systems (CD) – selected areas within the processing plant will be provided with a closed loop drainage system to collect hydrocarbon liquids and chemicals. Chemical drainage is recovered into the process and the CD systems do not normally discharge fluids to the ETP. <p>Treated effluent from the ETP is discharged to the marine environment via the Water Corporation’s Multi User Brine Return Line (MUBRL). Regulation of the treatment and discharge of contaminated stormwater via the ETP is described under ‘Point source emissions to surface water’.</p>	
Emissions general	L2.1.1	Reference of descriptive and numeric targets has been removed in accordance with administrative changes implemented within the Department of Environment Regulation.	DER public website: www.der.wa.gov.au
Point source emissions to air including monitoring	L2.2.4 – 2.2.5	Condition 2.2.4 has been removed as it is a duplication of condition 2.2.3. Condition 2.2.5 has been deleted to remove emission targets in accordance with administrative changes implemented within the Department of Environment Regulation. The target for dark smoke has been transferred to a limit in condition 2.2.2.	Ministerial Statement 757
Point source emissions to surface water including monitoring	L2.3.2	Condition 2.3.2 has been removed to avoid duplication with Part IV regulatory requirements, as discharge criteria for the ETP are specified in the Pluto LNG Project Treated Waste Water Management Plan (TWWMP) developed under Ministerial Statement 757. The TWWMP also details contingency measures to be enacted in the event that the discharge criteria are exceeded. This ensures that the Pluto LNG Plant can continue to operate should the ETP experience upset conditions or the treated effluent is above the required specifications.	TWWMP
		Monitoring requirements remain unchanged and the Licensee is required to report monitoring data in the Annual Environment Report. In accordance with the TWWMP, DER will be notified in the event that wastewater discharged to the environment does not comply with the TWWMP (e.g. implementation of contingency measures has failed to achieve water quality criteria).	



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Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Emissions to land including monitoring	L2.4.2	In accordance with administrative changes implemented within the Department of Environment Regulation, conditions that contain targets or trigger levels will not be applied or continued in licences or works approvals. Accordingly, condition 2.4.2 has been updated and targets previously stated in the Licence relating to discharges from the STP have been converted to limits. Monitoring requirements in the Licence remain unchanged with results of monitoring required to be submitted in the Annual Environmental Report.	
Fugitive emissions and odour	Previously L2.6.1 and L2.7.1	Conditions 2.6.1 and 2.1.7 relating to dust and odour have been removed from the licence. Both emissions were originally assessed as no regulation required, as other management mechanisms were sufficient to control the risk. However, standard generic fugitive emission conditions were added to the licence. In accordance with administrative changes implemented within the Department of Environment Regulation, generic fugitive emission conditions will not be used in relation to odour or dust, which can constitute a substantive offence under the EP Act. Given the low risk, no specific regulatory controls are required in the licence and the emissions can be sufficiently regulated under section 49 of the EP Act.	<i>Environmental Protection Act 1986</i>
Ambient quality monitoring and Meteorological monitoring	L3.8.1 – L3.9.1	Ambient air quality monitoring was previously undertaken in accordance with commitments made in the Air Quality Management Plan (AQMP) developed under Ministerial Statement 757 (condition 11-2(4)). Results of the monitoring program indicate that emission impacts are below the National Environmental Protection Measure (NEPM) standards for NO _x and O ₃ and therefore the environmental risk is low. Based on this information, the Environmental Protection Authority (EPA) determined that the monitoring program could be paused. Based on the EPA's determination to pause the ambient monitoring programme, DER has removed the requirement to carry out ambient air quality monitoring.	Guidance Statement: Setting Conditions MS757 & EPA Report 1259 AQMP
Information	Previously 5.2.1 4.2.1 (previously 5.2.2)	The final report and results for the ambient monitoring conducted in accordance with the AQMP were submitted to the DER in December 2014. Accordingly, condition 5.2.1 has been removed from the Licence. Condition 4.2.1 (previously 5.2.2) has been updated to reflect the removal of and changes to conditions as described above.	N/A



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Licence Duration	N/A	The licence is due to expire in July 2019. No changes to the duration of the Licence are proposed as part of this amendment.	Guidance Statement: Licence Duration



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
24/12/2015	Proponent sent a copy of draft instrument	<p>DER initially proposed that emission targets specified under condition 2.3.2 be converted to limits in accordance with administrative changes implemented by the Department of Environment Regulation.</p> <p>The Licensee has requested that the targets remain on the Licence to ensure consistency with the TWWMP, which allows operational flexibility in the event that the ETP cannot achieve water quality criteria (e.g. due to plant malfunction) and ensures continued operation of the Pluto LNG Plant. The TWWMP details contingency measures that can be implemented in such an event to maintain a high level of ecological protection at the edge of the mixing zone.</p>	<p>Condition 2.3.2 has been removed as the discharge of treated wastewater is the subject of a Ministerial Statement and the associated TWWMP. Monitoring requirements remain unchanged and the Licensee is required to report results to DER and assess against the criteria in the TWWMP in the annual report.</p>

6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High