



Licence

Environmental Protection Act 1986, Part V

Licensee: TEC Desert Pty Ltd and
TEC Desert No. 2 Pty Ltd
T/A Southern Cross Energy Partnership

Licence: L8801/2013/1

Registered office: Level 14 Parmelia House
191 St Georges Terrace
PERTH WA 6000

ACN: 084 695 661 and 084 953 088

Premises address: Mount Keith Power Station
Mining tenement L53/134
WILUNA WA 6646
As depicted in Schedule 1

Issue date: Thursday, 19 December 2013

Commencement date: Monday, 20 January 2014

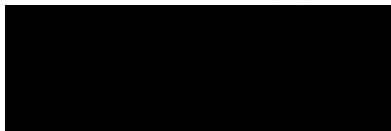
Expiry date: Saturday, 19 January 2019

Prescribed premises category
Schedule 1 of the Environmental Protection Regulations 1987

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
52	Electric power generation: premises (other than premises within category 53 or an emergence or standby power generating plant) on which electrical power is generated using a fuel.	20 MW or more in aggregate (using natural gas) or 10 MW or more in aggregate (using a fuel other than natural gas)	59MWe

Conditions of licence

Subject to this licence and the conditions set out in the attached pages.



Officer delegated under section 20
of the *Environmental Protection Act 1986*



Contents

1	General	4
2	Emissions	6
3	Monitoring	6
4	Improvements	6
5	Information	7
	Schedule 1: Maps	9
	Schedule 2: Reporting & notification forms	11

Introduction

This introduction is not part of the licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with the business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitor and audit compliance with works approvals and licence conditions, take enforcement action as appropriate and develop and implement licensing and industry regulation policy.

Licence requirements

This licence is issued under Part V of the Act. Conditions contained with the licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- Environmental Protection (Unauthorised Discharges) Regulations 2004 – these regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the regulations;
- Environmental Protection (Controlled Waste) Regulations 2004 - these regulations place obligations on you if you produce, accept, transport or dispose of controlled waste; and
- Environmental Protection (Noise) Regulations 1997 – these regulations require noise emissions from the premises to comply with the assigned noise levels set out in the regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises. Operating without a licence is an offence under the Act.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Mt Keith Gas Turbine Power Station is operated by TEC Desert Pty Ltd and TEC Desert No. 2 Pty Ltd, trading as Southern Cross Energy Partnership. The premises produces electricity primarily for BHP Billiton Mount Keith Nickel Operations within which the premise is located. The main source of electricity is generated from two natural gas turbines. Back up diesel turbines are located on another premises approximately 100m to the south east.

The premises has a capacity of 59MWe from two natural gas turbines (consisting of one LM600 40MWe turbine and one TM2500 19MWe turbine). Key emissions associated with operation of the power station include carbon monoxide, oxides of nitrogen, sulphur dioxide and particulates. Air emissions are not considered to be significant given its location within BHP Billiton Mt Keith Nickel Operations.

Previously the premises was authorised under L7348/1999/9. However, during a licence amendment it was discovered that the gas turbines and the diesel turbines are located on separate parcels of land which together do not comprise a contiguous boundary in accordance with DER's definition of a prescribed premises boundary. Consequently, this licence authorises the operation of the gas turbines only. The diesel engines are authorised under a separate licence.

The licences and works approvals issued for the premises since 19 December 2013 are:

Instrument log		
Instrument	Issued	Description
L8801/2013/1	19 December 2013	New application for a licence

Severance

It is the intent of these licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this licence, unless the contrary intention appears:

'the Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 October until 30 September in the following year;

'code of practice for the storage and handling of dangerous goods' means the Department of Mines and Petroleum, 2010, Storage and handling of dangerous goods — code of practice (2nd edition): Resources Safety, Department of Mines and Petroleum, Western Australia;

'dangerous goods' has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

'dark smoke' means smoke which, when viewed from any point outside the premises boundary, at a distance of not less than five metres from its source and compared with a chart known as the Australian Miniature Smoke Chart (AS 3543 1989) or, the BS Ringlemann Chart (BS 2742C), would appear darker than shade one on those charts;

'Director' for the purpose of correspondence means;
Regional Leader – Industry Regulation (Goldfields)
Department of Environment Regulation
PO Box 10173
KALGOORLIE WA 6433
Telephone: (08) 9080 5555
Facsimile: (08) 9021 7831
Email: Kalgoorlie@der.wa.gov.au;

'environmentally hazardous material' means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

'fugitive emissions' means all emissions not arising from point sources identified in sections 2.2;

'licence' means this licence numbered L8801/2013/1 and issued under the *Environmental Protection Act 1986*;

'licensee' means the person or organisation named as licensee on page 1 of the Licence;

"MWe" means power output (electricity generated) in megawatts;

'premises' means the area defined in the premises map in Schedule 1 and listed as the premises address on page 1 of the licence;



'Schedule 1' means Schedule 1 of this licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this licence unless otherwise stated; and

"usual working day" means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia.

1.1.3 Any reference to an Australian or other standard in the licence means the relevant parts of the current version of that standard.

1.1.4 Any reference to a guideline or code of practice in the licence means the current version of the guideline or code of practice.

1.2 General conditions

1.2.1 Nothing in the licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2.2 The licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.3 The licensee, except where storage is prescribed in section 1.3, shall ensure that environmentally hazardous materials are stored in accordance with the code of practice for the storage and handling of dangerous goods.

1.2.4 The licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

1.2.5 The Licensee shall:

- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the premises; and
- (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the premises.¹

Note1: The Environmental Protection (Unauthorised Discharges) Regulations 2004 make it an offence to discharge certain materials into the environment.

1.3 Premises operation

1.3.1 The licensee shall ensure that all chimney stacks are operated to maintain an exhaust gas velocity which is sufficient to avoid stack tip downwash.



2 Emissions

2.1 General

2.1.1 The licensee shall record and investigate the exceedance of any descriptive or numerical limit, and/or target in this section.

2.2 Point source emissions to air

2.2.1 The licensee shall ensure that where waste is emitted to air from the emission points in Table 2.2.1 it is done so in accordance with the conditions of this licence.

Table 2.2.1: Emission points to air

Emission point reference (as shown in premises map in schedule 1)	Emission point	Source, including any abatement
A1	Stack 1	LM6000 gas turbine (40MWe)
A2	Stack 2	TM2500 gas turbine (19MWe)

2.2.2 The licensee shall ensure emission of dark smoke from all stacks on the entire licensed premises shall not continue for greater than a period of 20 minutes in aggregate in any 24 hour period.

2.3-2.4 Point source emissions to surface waters and groundwater

There are no specified conditions relating to point source emissions to surface waters and groundwater in this section.

2.5 Emissions to land

There are no specified conditions relating to emissions to land in this section.

2.6-2.8 Fugitive emissions, odour and noise

There are no specified conditions relating to fugitive emissions, odour and noise in this section.

3 Monitoring

There are no specified conditions relating to monitoring in this section.

4 Improvements

There are no specified improvement conditions in this section.



5 Information

5.1 Records

- 5.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 5.1.1(d) be retained for at least six years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
 - (d) for those following records, be retained until the expiry of the licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.
- 5.1.2 The licensee shall ensure that:
- (a) any person left in charge of the premises is aware of the conditions of the licence and has access at all times to the licence or copies thereof; and
 - (b) any person who performs tasks on the premises is informed of all of the conditions of the licence that relate to the tasks which that person is performing.
- 5.1.3 The licensee shall complete an Annual Audit Compliance Report indicating the extent to which the licensee has complied with the conditions of the licence and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 5.1.4 The licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the premises and any action taken in response to the complaint.

5.2 Reporting

- 5.2.1 The licensee shall submit to the Director an Annual Environmental Report by 30 November in each year after the end of the annual period. The report shall contain the information listed in table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
	Operating hours per month	
	Type of fuel used and corresponding quantity in tonnes per month	
	Any maintenance records for power generating equipment used on the premise outlining conformance with manufacturer's environmental emission specifications and/or any internal management systems	
5.1.3	Compliance	AACR
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2



5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the Director in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
-	Any failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1

Note 1: Notification requirements in the licence shall not negate the requirement to comply with s72 of the Act

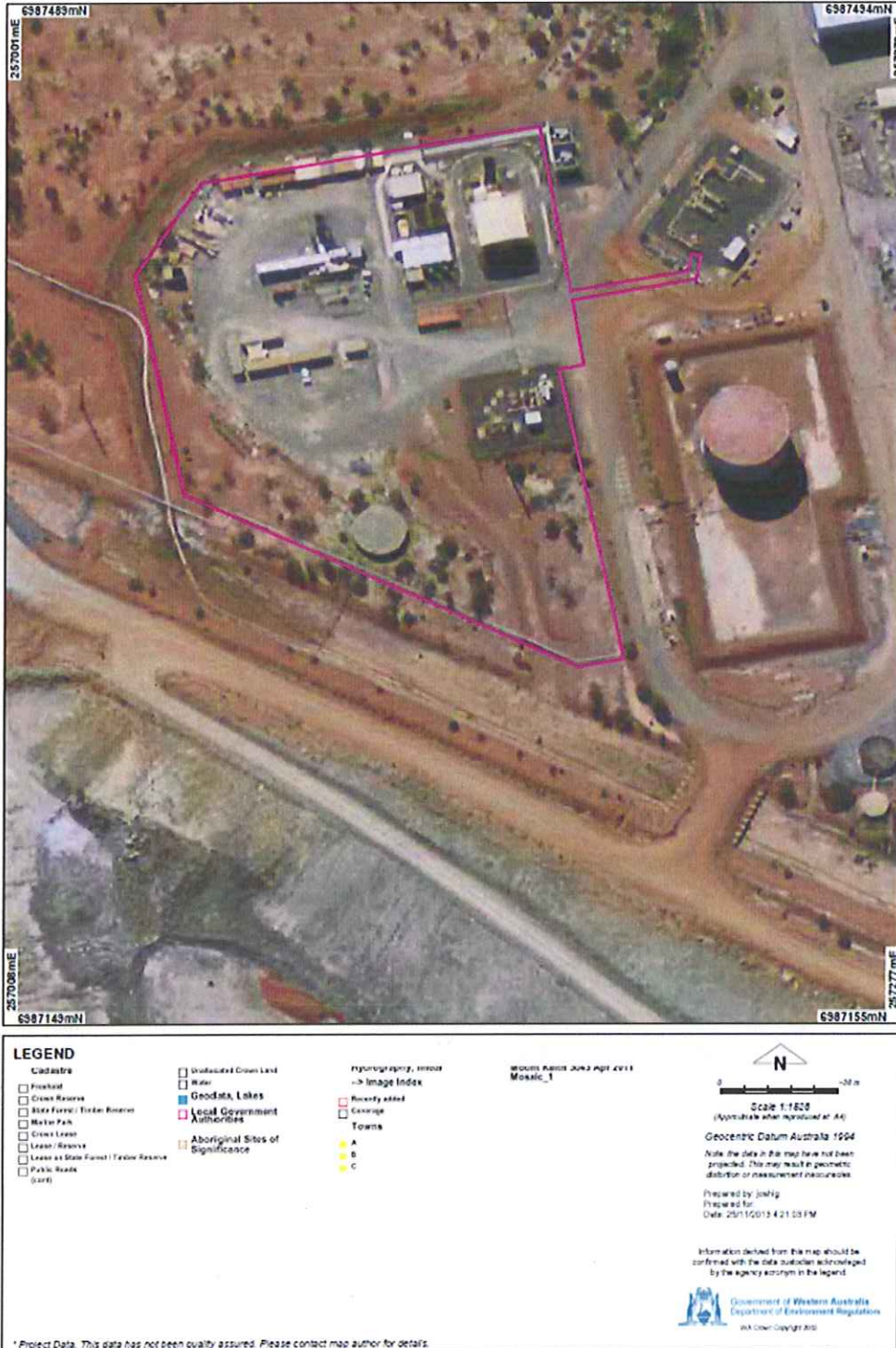
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The premises is shown in the map below. The pink line depicts the premises boundary.





Map of emission points

The locations of the emission points defined in Table 2.2.1 is shown below.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the licence. They can be requested in an electronic format.

Licence: L8801/2013/1 Licensee: TEC Desert Pty Ltd and TEC Desert No.2 Pty Ltd
Form: AACR Period :
Name: Annual Audit Compliance Report

Annual Audit Compliance Report

Section A: Statement of compliance with licence conditions

Were all conditions of licence complied with within the reporting period?		
Yes	<input type="checkbox"/>	Initial Sections A & B, then proceed to Section C
No	<input type="checkbox"/>	Initial Section A, then proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this annual audit compliance report (AACR).

Initial:



Section B: Details of non-compliance with licence condition

a) Licence condition not complied with?	
b) Date(s) and time(s) the non-compliance occurred, if applicable?	
c) Was this non-compliance reported to DER?	
<input type="checkbox"/> Yes, and <input type="checkbox"/> Reported to DER verbally Date <input type="checkbox"/> Reported to DER in writing Date	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non-compliance?	
e) Summary of particulars of non-compliance, and what was the environmental impact?	
f) If relevant, the precise location where the non-compliance occurred (attach map or diagram)	
g) Cause of non-compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non-compliance	
i) Action taken or that will be taken to prevent recurrence of the non-compliance	

Please use a separate page for each licence condition that was not complied with. Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



Section C: Signature and certification

This AACR must only be signed by a person(s) with legal authority to sign it as defined below. Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is	The AACR must be signed and certified:
an individual	<input type="checkbox"/> by the individual licence holder, or <input type="checkbox"/> by a person approved in writing by the Chief Executive Officer (CEO) of DER to sign on the licensee's behalf.
a corporation	<input type="checkbox"/> by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or <input type="checkbox"/> by two directors of the licensee; or <input type="checkbox"/> by a director and a company secretary of the licensee, or <input type="checkbox"/> if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or <input type="checkbox"/> by the principal executive officer of the licensee; or <input type="checkbox"/> by a person with authority to sign on the licensee's behalf who is approved in writing by the CEO of DER.
A public authority (other than a local government)	<input type="checkbox"/> by the principal executive officer of the licensee; or <input type="checkbox"/> by a person with authority to sign on the licensee's behalf who is approved in writing by the CEO of DER.
a local government	<input type="checkbox"/> by the CEO of the licensee; or <input type="checkbox"/> by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this AACR is correct and not false or misleading in a material particular.

Signature:

Name: (printed)

Position:

Date:

_____/_____/_____

Signature:

Name: (printed)

Position:

Date:

_____/_____/_____

Seal (if signing under seal)



Licence: L8801/2013/1 Licensee: TEC Desert Pty Ltd and TEC Desert No.2 Pty Ltd
 Form: N1 Date of breach:

Notification of detection of the breach of a limit or any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution.

These pages outline the information that the operator must provide.
 Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence number	
Name of operator	
Location of premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

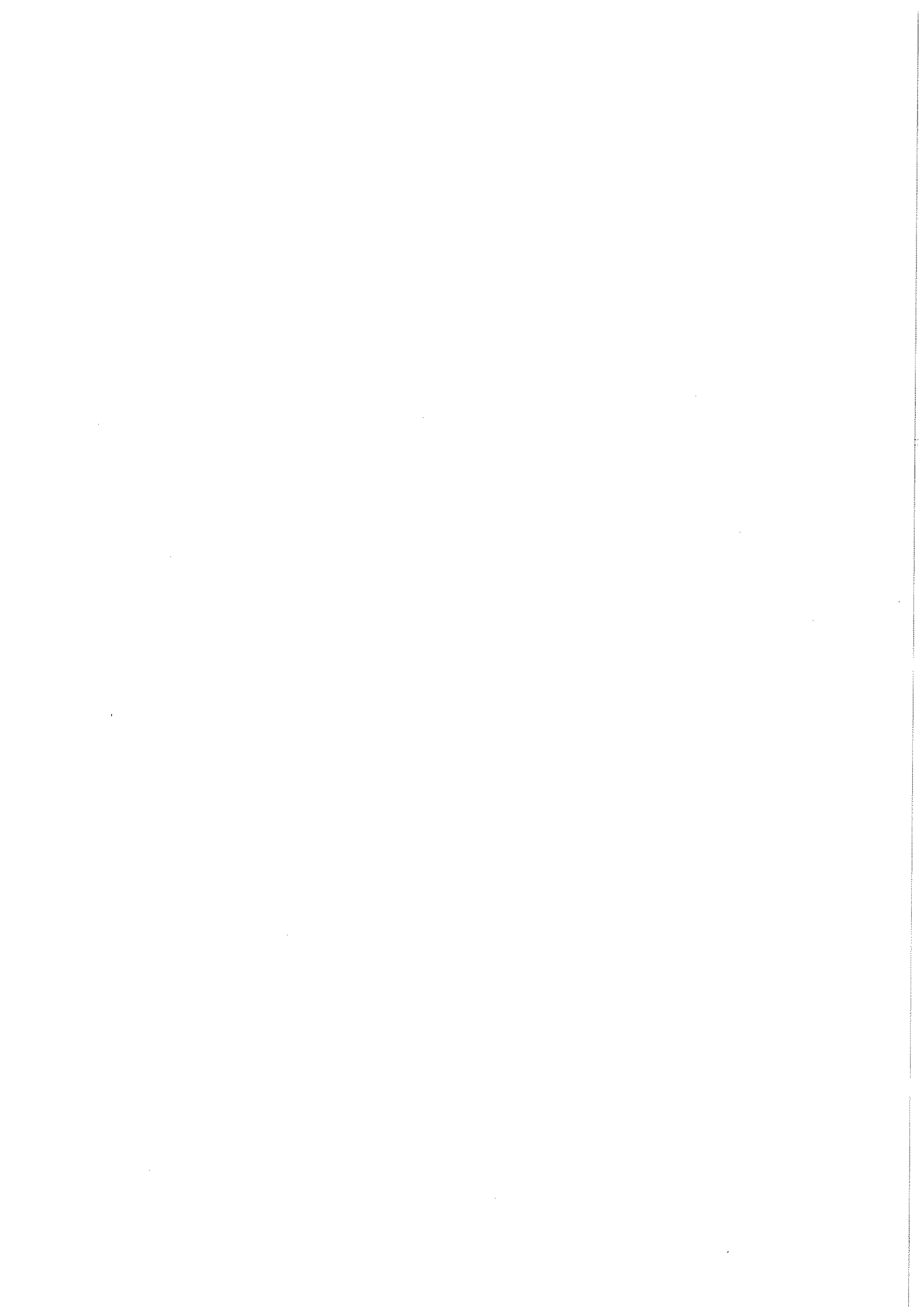
Notification requirements for any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution	
Date and time of event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any previous N1 notifications for the premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Mt Keith Power Station Licence: L8801/2013/1 Licensee: TEC Desert Pty Ltd and TEC Desert No.2 Pty Ltd T/A Southern Cross Energy Partnership	
Date	





Decision Document

Environmental Protection Act 1986, Part V

Proponent: **TEC Desert Pty Ltd and
TEC Desert No. 2 Pty Ltd
T/A Southern Cross Energy Partnership**

Licence: **L8801/2013/1**

Registered office: Level 14 Parmelia House
191 St Georges Terrace
PERTH WA 6000

ACN: 084 695 661 and 084 953 088

Premises address: Mount Keith Power Station
Mining Tenement L53/134
WILUNA WA 6646

Issue date: Thursday, 19 December 2013

Commencement date: Monday, 20 January 2014

Expiry date: Saturday, 19 January 2019

Decision

Based on the assessment detailed in this document, the Department of Environment Regulation (DER), has decided to issue a licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision document prepared by:

Sarah Hull
Regional Environmental Officer

Decision Document authorised by:

James Milne
Regional Leader – Industry Regulation
(Goldfields)



Contents

1	Purpose of this document	2
2	Administrative summary	3
3	Executive summary of proposal	4
4	Decision table	5
5	Advertisement and consultation table	9
6	Emissions and discharges risk assessment matrix	10

1 Purpose of this document

This decision document explains how DER has assessed and determined the application for a works approval or licence and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to 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.

Works approval and licence conditions

DER has three types of conditions that may be imposed on works approvals and licences. They are as follows:

Standard conditions

DER has standard conditions that are imposed on all works approvals and licences regardless of the activities undertaken on the premises and the information provided in the application. These are included as the following conditions on works approvals and licences:

Works approval conditions: 1.1.1-1.1.3, 1.2.1, 1.2.2, 5.1.1 and 5.1.2.

Licence conditions: 1.1.1-1.1.3, 1.2.1-1.2.4, 5.1.1-5.1.4 and 5.2.1.

For such conditions, justification within the Decision Document is not provided.

Optional standard conditions

In the interests of regulatory consistency DER has a set of optional standard conditions that can be imposed on works approvals and licences. DER will include optional standard conditions as necessary and are likely to constitute the majority of conditions in any licence. The inclusion of any optional standard conditions are justified in section 4 of this document.

Non standard conditions

Where the proposed activities require conditions outside the standard conditions suite DER will impose one or more non-standard conditions. These include both premises and sector specific conditions, and are likely to occur within few licences. Where used, justification for the application of these conditions will be included in section 4.



2 Administrative summary

Administrative details		
Application type	Works approval <input type="checkbox"/>	
	New licence <input checked="" type="checkbox"/>	
	Licence amendment <input type="checkbox"/>	
	Works approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s) 52	Design capacity 59MWe
Application verified	Date: 20 November 2013	
Application fee paid	Date: 3 December 2013	
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		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	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"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial Statement No: EPA Report No:
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"/> If Yes include details of which EPP(s) here.	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, include details here, eg Site is subject to SO ₂ requirements of Kwinana EPP.	



3 Executive summary of proposal

Mt Keith Gas Turbine Power Station is operated by TEC Desert Pty Ltd and TEC Desert No. 2 Ltd Pty, trading as Southern Cross Energy Partnership. The premises has two turbines that are fuelled by natural gas supplied from the Goldfields gas transmission pipeline. The premises has a capacity of 59MWe from the gas turbines; 40MWe capacity from the LM6000 gas turbine; and 19MWe capacity from the TM2500 gas turbine. The premises produces electricity primarily for BHP Billiton Mount Keith Nickel Operations within which the premise is located. Back up generation is supplied by the diesel power station, also occupied by TEC Desert Pty Ltd and TEC Desert No. 2 Ltd Pty, trading as Southern Cross Energy Partnership, located approximately 100m to the southeast.

Key emissions associated with operation of the power station include nitrogen oxides, sulfur dioxide and volatile organic compounds. Air emissions are not considered to be significant given its location within BHP Billiton Mt Keith Nickel Operations. TransAlta has an Environmental, Health and Safety Management System to manage the environmental, health and safety requirements of the business.

This is a new licence for the operation of the facility previously operating under licence L7348/1999/9 which authorised both the diesel and gas fired power stations at BHP Billiton Mount Keith Nickel Operations. During the licence amendment of L7348 it was recognised that the previous premises boundary was not a contiguous premises and was operating over two separate mining tenements. Consequently, this new licence includes the authorisation of the gas turbines only. The diesel engines are authorised under separate licence L7348/1999/10.

4 Decision table

All applications are assessed under the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, *DER's Policy Statement - Limits and targets for prescribed premises* (2006) and the risk matrix in section 6. Where other references have been used in making the decision they are detailed in the decision table.

OSC = Optional standard condition

NSC = Non-standard condition

DECISION TABLE				
Licence section	Condition number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.5	OSC	Potential contamination of stormwater may occur. OSC 1.2.5 has been included in the licence to ensure the licensee maintains sufficient infrastructure to direct stormwater from any possible contaminated sites.	Application supporting documentation
	L1.3.1	NSC	NSC 1.3.1 has been added to the licence to ensure the licensee maintains all chimney stacks to ensure efficient operation and to avoid stack tip downwash.	Application supporting documentation
Emissions general	L2.1.1	OSC	Descriptive condition has been set through condition 2.2.1 of the licence and therefore OSC regarding recording and investigation of exceedances of limits or targets has been included.	N/A



DECISION TABLE

Licence section	Condition number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Point source emissions to air including monitoring	L2.2.1 L2.2.2	OSC NSC	<p>Operation <i>Emission significance - 2</i> <i>Socio-political context - No concern or interest.</i> <i>Risk assessment - E – No regulation, other management mechanisms</i> Point source emissions are expected during the operation of the gas power station. Given the location of the two gas turbines within BHP Billiton Mt Keith Nickel Operation air emissions are not considered to be significant. Waste is emitted to the air via emission point monitoring of these emissions are required to be added to the works approval or licence. All air emissions are calculated using a prescribed methodology to determine the mass balance of the power station. NSC 2.2.2 has also been included in the licence to manage air emissions and monitor dark smoke that may occur from the discharge points.</p>	Environmental Protection (Unauthorised Discharges Regulations, 2004). Application supporting documentation Australian Miniature Smoke Chart (AS 3543 1989) or, the BS Ringlemann Chart (BS 2742C)
Point source emissions to surface water including monitoring	L2.3 and 3.3	N/A	<p>Operation <i>Emission significance - 1</i> <i>Socio-political context - No concern or interest.</i> <i>Risk assessment - E – No regulation, other management mechanisms</i> No point source emissions to surface water are expected during the operations at the power station. No specific conditions relating to emissions to surface water or the monitoring of these emissions are required to be added to the licence.</p>	General provisions of the <i>Environmental Protection Act 1986</i> Application supporting documentation



DECISION TABLE

Licence section	Condition number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Emissions to land including monitoring	L2.5 and 3.5	N/A	<p>Operation <i>Emission significance - 1</i> <i>Socio-political context</i> - No concern or interest. <i>Risk assessment - E</i> – No regulation, other management mechanisms No point emissions are expected from the operations at the Mt Keith power station. No specific conditions relating to point source emissions to land or the monitoring of these emissions are required to be added to the licence.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i> Environmental Protection (Unauthorised Discharge) Regulations 2004 Application supporting documentation</p>
Point source emissions to groundwater including monitoring	L2.4 and 3.4	N/A	<p>Operation <i>Emission significance - 1</i> <i>Socio-political context</i> - No concern or interest. <i>Risk assessment - E</i> – No regulation, other management mechanisms No point source emissions to groundwater are expected from the operations at the Mt Keith power station. No specific conditions relating to point source emissions to land or the monitoring of these emissions are required to be added to the licence.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i> Application supporting documentation</p>
Fugitive emissions	L2.6	N/A	<p>Operation <i>Emission significance - 1</i> <i>Socio-political context</i> - No concern or interest. <i>Risk assessment - E</i> – No regulation, other management mechanisms No fugitive emissions are expected during the operation of the power station infrastructure. No specific conditions relating to fugitive emissions are required to be added to the licence</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i> Application supporting documentation</p>



DECISION TABLE

Licence section	Condition number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Odour	L2.7	N/A	<p>Operation <i>Emission significance - 1</i> <i>Socio-political context - No concern or interest.</i> <i>Risk assessment - E – No regulation, other management mechanisms</i> No odour emissions are expected during the operation of the power station infrastructure. No specific conditions relating to odour are required to be added to the licence</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i> Application supporting documentation</p>
Noise	L2.8	N/A	<p>Operation <i>Emission significance - 1</i> <i>Socio-political context - No concern or interest.</i> <i>Risk assessment - E – No regulation, other management mechanisms</i> During operation some noise emissions will be generated from the power station operation however it is not expected to have a significant impact as the power station is located within the BHP Billiton Mt Keith Nickel Operations. No specific conditions relating to noise are required to be added to the licence.</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i> Application supporting documentation</p>
Monitoring general	L3	N/A	<p>No monitoring is required by the licensee. All emissions are calculated using a prescribed methodology.</p>	<p>Application supporting documentation</p>
Monitoring of inputs and outputs	L3.6	N/A	<p>Monitoring of inputs and outputs is not required to ensure efficient operation of the infrastructure, therefore no specific conditions relating to monitoring of inputs and outputs are required to be added to the licence.</p>	<p>Application supporting documentation</p>
Process monitoring	L3.7	N/A	<p>Process monitoring conditions have not been included in the licence.</p>	<p>Application supporting documentation</p>
Ambient environmental quality monitoring	L3.8	N/A	<p>Environmental groundwater quality monitoring is not required to be added to the licence.</p>	<p>Application supporting documentation</p>



DECISION TABLE

Licence section	Condition number L= licence	OSC or NSC	Justification (including risk description & decision methodology where relevant)	Reference documents
Meteorological monitoring	L3.9	N/A	Monitoring of meteorological conditions is not required to adequately manage emissions from this proposal and therefore have not been included.	Application supporting documentation
Improvements	L4	N/A	No specific improvements are required by DER. No conditions relating to improvements are required to be added to the licence.	Application supporting documentation
Information	L5	N/A	Standard conditions relating to the management of records and complaints, notifications requirements and the submission of an annual audit compliance report and annual environmental report are included on the licence.	General provisions of the <i>Environmental Protection Act 1986</i>

5 Advertisement and consultation table

Date	Event	Comments received/notes	How comments were taken into consideration
09 December 2013	Application advertised in the <i>West Australian</i>	None received	
17 December 2013	Proponent sent a copy of draft instrument	Minor changes made	



6 Emissions and discharges risk assessment matrix

Note: These matrix are taken from the DER Officer's Guide to Emissions and Discharges Risk Assessment (2006).

Table 3: Measures of significance of emissions

Emissions as a percentage of the relevant emission or ambient standard		Worst case operating conditions (95 th percentile)			
		>100%	50 – 100%	20 – 50%	<20%*
Normal operating conditions (50 th percentile)	>100%	5	N/A	N/A	N/A
	50 – 100%	4	3	N/A	N/A
	20 – 50%	4	3	2	N/A
	<20%*	3	3	2	1

*For reliable technology, this figure could increase to 30%

Table 4: Socio-political context of each regulated emission

		Relative proximity of the interested party with regards to the emission				
		Immediately adjacent	Adjacent	Nearby	Distant	Isolated
Level of community interest or concern*	5	High	High	Medium High	Medium	Low
	4	High	High	Medium High	Medium	Low
	3	Medium High	Medium High	Medium	Low	No
	2	Low	Low	Low	Low	No
	1	No	No	No	No	No

Note: These examples are not exclusive and professional judgement is needed to evaluate each specific case

*This is determined by DER using the *Officer's Guide to Emissions and Discharges Risk Assessment* (2006).

Table 5: Emissions risk reduction matrix

		Significance of emissions				
		5	4	3	2	1
Socio-political context	High	A	A	B	C	D
	Medium High	A	A	B	C	D
	Medium	A	B	B	D	E
	Low	A	B	C	D	E
	No	B	C	D	E	E

PRIORITY MATRIX ACTION DESCRIPTORS

A = Do not allow (fix)

B = licence condition (setting limits + EMPs - short timeframes)(setting targets optional)

C = licence condition (setting targets + EMPs - longer timeframes)

D= EIPs, other management mechanisms/licence conditions (monitoring/reporting)/other regulatory tools

E = No regulation, other management mechanisms