



## Application for Licence

### Part V Division 3 of the *Environmental Protection Act 1986*

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<b>Licence Number</b>	L8395/2009/2
<b>Applicant</b>	Electricity Generation and Retail Corporation T/A Synergy
<b>File number</b>	DEC268-2
<b>Premises</b>	Pinjar Gas Turbine Power Station Perry Road PINJAR WA 6065  Legal description - Lot 500 on Plan 59628 Certificate of Title Volume 3158 Folio 926 Crown Reserve 50389  As defined by the premises maps attached to the issued licence
<b>Date of report</b>	5 October 2022
<b>Proposed Decision</b>	Intent to grant licence

## 1. Decision summary

The Delegated Officer has determined to make amendments to Licence L8395/2009/2. The amendments are administrative in nature therefore they do not alter the risk profile of the Premises, providing that all activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986*.

## 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) has considered and given due regard to its regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Amendment summary

On 10 January 2022, the applicant submitted a licence amendment application to the department under the *Environmental Protection Act 1986* (EP Act).

The application relates to changes in air emissions monitoring at the premises. The premises uses six frame 6 gas turbines and three frame 9 gas turbines to generate electricity. The six frame 6 turbines are capable of being operated on natural gas or distillate and are subject to emissions testing at the rate of one gas turbine unit per year, with each unit being tested once every 6 years (Licence Condition 3.2.1). The three frame 9 gas turbines operate on natural gas only and are subject to emissions testing at the rate of one gas turbine unit per year, with each unit being tested once every three years (Licence Condition 3.2.1).

The Licence Holder has requested that both the frame 6 and the frame 9 gas turbines be exempt from annual emissions monitoring when the units are not operating during the annual testing period, where the unit have been shut down for an extended period of time. This is to negate the requirement to operate the gas turbines solely for the purpose of undertaking air emissions testing. There is no increase in risk to the premises operations as a result of this change, and the change could be considered an operational improvement as it reduces unnecessary air emissions.

The Licence Holder has provided a statement indicating that should emissions testing be missed for a particular gas turbine for a particular annual period due to non-usage, that emissions testing will be undertaken during subsequent emissions monitoring events for the current gas turbine, as well as for any additional gas turbines not sampled during the previous annual reporting period to compensate for any missed sampling. These additional test results will be included in the annual reporting period for that reporting period.

### 2.3 CEO Initiated amendment

As part of this Licence Amendment, the CEO has also initiated an amendment to the type and style of the Licence. The obligations of the Licence Holder have not changed, and DWER has not undertaken any additional risk assessment related to the CEO initiated amendment.

In amending the Licence, the CEO has:

- Updated the format and appearance of the Licence

- Removed redundant conditions including the redundant AACR form set out in Schedule 1 of the previous Licence and advised the Licence Holder to obtain the form from the Department's website
- Revised licence condition numbers, reformatted remaining conditions, including Tables and maps for numerical consistency and removing parts of conditions that are duplicated by other sections of the EP Act; and
- Updated the departmental name and address.

### 3. Consultation

The Licence Holder was provided with a draft amendment on 13 June 2022 and 8 August 2022. Comments received from the Licence Holder on 21 July 2022 have been considered by the Delegated Officer as detailed in Appendix 1. On the 13 September 2022 the Licence Holder agreed to accept the revised draft without any additional comments.

### 4. Conclusion

The Delegated Officer has decided to grant the amendments as the proposed changes do not alter the emission, discharges or risk profile of the premises as they are largely administrative in nature. The amended Licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

#### 4.1 Summary of amendment

The below table provides a summary of the proposed amendments, and this will act as a record of the implemented changes. The proposed changes have been incorporated into a revised licence as part of the amendment process.

Condition no.	Proposed amendment
Cover page	Inclusion of premises property details including crown reserve, certificate of title volume and folio numbers.
Introduction and Licence History	Update to current departmental name Inclusion of current amendment to Licence History
Definitions	New AACR definition added Contact phone number for the department updated. Facsimile number removed (redundant).
Section 1.3	Removed as it contains no specified conditions
Section 2.1	Removed as it contains no specified conditions
Section 2.2 and Condition 2.2.1	Renumbered as Section 2.1 and Condition 2.1.1 Column 3 added to Table 2.1.1 to specify the height of the gas turbine stack emission point height
Sections 2.3 - 2.8	Removed as they contain no specified conditions
Condition 3.2.1	Table 3.2.1 is amended to include foot note 3 to allow emissions monitoring of the gas turbines to be deferred until the subsequent monitoring period if the frame 6 or frame 9 gas turbines are not in use during the current monitoring period. The requirement for annual monitoring has been removed.
Condition 3.2.3	Condition deleted as approved by previous amendment dated 11 October 2018.
Sections 3.3 – 3.9	Removed as they contain no specified conditions

<b>Condition no.</b>	<b>Proposed amendment</b>
Section 4	Removed as it contains no specified conditions
Section 5 Conditions 5.1.1; 5.1.2, 5.1.3, 5.1.4, 5.2.1, 5.2.2, 5.2.3 and 5.2.4.	Renumbered as Section 4 and Conditions 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.2.1, 4.2.2, 4.2.3 and 4.2.4 respectively. Table 5.2.1 is renumbered as Table 4.2.1.
Condition 4.1.3	Amended to reflect new format AACR reporting condition
Condition 4.2.1	Amended to update respective condition numbers as referenced in column 1 of Table 4.2.1. Footnote 1 is amended to refer to form AR1 only as N1 form is removed (Table 4.3.1). Inclusion of requirement to submit a table with most recent test dates for each turbine over the last 10 annual reporting periods (Condition 3.2.1). Inclusion of requirement to submit NATA laboratory certificates for emissions test data (Condition 3.3.1)
Condition 4.2.3	Amended to update Table reference number.
Condition 4.3.1	Removal of reference to condition 2.6.2 and N1 Form from column 1 of Table 4.3.1 as condition 2.6.2 does not exist in the Licence and N1 form no longer suitable for inclusion in the licence as this replicates the requirements of Section 72 of the EP Act. Change to DWER amendment to Licence to reflect requirement to submit AER's on a biennial basis, rather than annually. Change in relation to 3.2.1 to require the submission of a summary of emissions testing for each turbine over the last 12-year period (opposed to annually)
Schedule 1	Renumbering of reference conditions
Schedule 2	Removal of N1 Form as this duplication Section 72 of the EP Act.

## 4.2 Appendix 1: Summary of Licence Holder comments

Condition	Summary of Licence Holder comment	DWER response
1.2.5	Synergy wished to amend the condition by removing the word 'all' from the condition as it was considered too encompassing and limitless:	DWER has retained the use of the word 'all' within the condition and updated the wording to exactly match the revised standard wording for the stormwater management condition as applied across all new format Licences.
3.1.1	<p>The Licence Holder advised that this condition:</p> <ol style="list-style-type: none"> <li>1. should be preceded with the words "if applicable";</li> <li>2. that point source air emissions monitoring is undertaken in accordance with the relevant Australian Standard and industry best practice,</li> <li>3. and that no sampling is undertaken in accordance with this Licence so therefore there was no requirement for analysis by a NATA accredited laboratory to be undertaken.</li> </ol>	<p>The Delegated Officer has retained the wording as proposed in the draft amendment for the following reasons.</p> <ol style="list-style-type: none"> <li>1. There are two ways of calculating emissions under the current Licence. A predicted emissions calculation methodology in accordance with condition 3.2.2 and a stack sampling methodology in accordance with Condition 3.2.1. As only one method involves sampling (condition 3.2.1) the current wording of this condition is considered relevant and the addition of "if applicable" is not required.</li> <li>2. Sampling for condition 3.2.1 is required to be undertaken in accordance with USEPA Method 7E (opposed to any Australian Standard) and is the DWER accepted method for sampling NOx from point sources.</li> <li>3. The gas turbines are required to be processed in accordance with the established methodologies and quality assurance methods of NATA accredited laboratories so that there is a level of confidence in the accuracy of the laboratory analysis of samples submitted to the laboratory.</li> </ol>

Condition	Summary of Licence Holder comment	DWER response
		<p>If the gas turbines are being used, then it is appropriate that they are periodically tested to validate the emissions profile.</p>
3.2.1	<p>Licence Holder has requested this condition be amended to:</p> <ol style="list-style-type: none"> <li>1. to include the text “if normal operating conditions are possible” to prevent a technical non-compliance if gas turbines were not operating for an extended period of time.</li> <li>2. The licence condition still requires periodic monitoring to be conducted each year.</li> <li>3. An error was detected in reference footnote, there is no gas turbine 6.</li> </ol>	<ol style="list-style-type: none"> <li>1. As the operating conditions are variable, the burden of the current monitoring condition requires sampling of the turbines when they may otherwise be in shut down mode in order to prevent a technical non-compliance with this condition. This also requires at least one turbine to be tested each year, which could be unnecessarily burdensome to the Licence Holder.</li> <li>2. The condition has been amended to allow the Licence Holder flexibility in the timing of the testing without reducing the testing requirements by removing the wording “annually”. This allows the Licence Holder discretion as to when within the requisite three or six year period the turbines are subject to testing.</li> <li>3. Footnote to gas turbine 6 is removed</li> </ol>
3.2.2	<p>The Licence Holder has requested that the condition be amended back to former wording as emissions are not tested under this condition but estimated by an approved methodology based on operating hours and fuel usage.</p>	<p>The wording of the condition has been reverted to former wording.</p>
<p>3.2.4 Now Condition 3.2.3</p>	<p>The Licence Holder has requested that this condition be removed as it is a duplication of the testing requirements detailed in condition 3.2.1.</p> <p>The Licence Holder states that requirement to sample according to USEPA Method 7E is sufficient.</p>	<p>The condition has been retained as it requires the sampler (individual) who undertakes the sampling to have accreditation in NATA sampling methodologies, so that there is confidence that the sample submitted to the laboratory for analysis is valid and representative of the emissions being discharged to the environment. Sampling methodology USEPA Method 7E is relevant to the established procedure for gas being sampled, but</p>

Condition	Summary of Licence Holder comment	DWER response
		does not validate the level of confidence to which the individual or laboratory undertakes sampling or analysis to the standards specified in the methodology.
4.2.1	Licence Holder requested that the licence be updated to reflect the recent Notice of Amendment of Reporting Requirements effective from 16 May 2022 received from DWER which provides that annual environmental monitoring be submitted biennially for this premises.	Change made as requested. Additional changes include a requirement for the for a Table to be submitted in relation to Condition 3.2.1 so that testing frequency dates for each turbine over an 8 year period can be monitored. The 8 years allows for each turbine to be tested once, allowing for the submission of biennial reporting which may intersect the 6 year testing periods. The requirement to submit NATA accredited laboratory test certificates is also made for NOx stack monitoring, to ensure the data received is valid.