



Amendment Notice 2

Licence Number L8026/2004/6

Licence Holder RATCH- Australia Kemerton Pty Ltd

ACN 106 619 112

Registered Business Address: 111 Pacific Highway
North Sydney NSW 2060

File Number: 2010/010534

Premises
Kemerton Power Station
505 Treasure Road
WELLESLEY WA 6233
Legal description:
Lot 505 on Deposited Plan 39528
Certificate of Title Volume 2559 Folio 837

Date of Amendment 26 February 2018

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act) as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Date signed: 26 February 2018

Caron Goodbourn

A/Senior Manager Licensing (Process Industries)

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
Amendment Notice	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DWER	Department of Water and Environmental Regulation
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection Regulations 1987 (WA)</i>
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review
Licence Holder	RATCH- Australia Kemerton Pty Ltd
m ³	cubic metres

Minister	the Minister responsible for the EP Act and associated regulations
NEPM	National Environmental Protection Measure
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
NOx	means nitrogen oxides
Occupier	has the same meaning given to that term under the EP Act.
PM	Particulate Matter
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Amendment Notice applies, as specified at the front of this Amendment Notice.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>
SOx	means sulfur oxides
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

The following guidance statements have informed the decision made on this amendment

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Land Use Planning (February 2017)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*

Amendment description

This amendment notice is the result of the Licence Holder initiating an amendment to the Licence to allow the installation and operation of four diesel powered generators for use in the event of a complete failure of the South West Interconnected System.

The Licence Holder has advised the generators will run on ultra-low sulphur diesel. They will operate in the event of a failure for approximately 10 minutes to restart the gas turbines already operating on the premises and will be tested for approximately one hour every month.

The premises currently stores 2ML of ultra-low sulphur diesel for back up use in the gas turbines.

Amendment history

Table 4 provides the amendment history for L8026/2004/06.

Table 2: Licence amendments

Instrument	Issued	Amendment
L8026/2004/2	01/11/2005	Licence reissue
L8026/2004/3	01/11/2006	Licence reissue
L8026/2004/4	01/11/2007	Licence reissue
L8026/2004/5	01/11/2008	Licence reissue – Licence duration extended from 1 to 3 years
L8026/2004/6	27/11/2011	Licence reissue – Licence duration extended from 3 to 5 years
L8026/2004/6	22/08/2013	Licence amendment to REFIRE format
L8026/2004/6	29/04/2016	Amendment Notice 1: Amendment to Expiry date
L8026/2004/6	26/02/2018	Amendment Notice 2: Installation of four diesel generator sets for black out conditions

Location and receptors

There are no residential receptors within approximately 2km from the proposed location of the diesel generators.

Risk assessment

The addition of the four diesel generators will not change the risk profile of the premises. Table 3 and Table 4 below describe the Risk Events associated with the amendment consistent with the Guidance Statement: Risk Assessments. Both tables identify whether the emissions present a material risk to public health or the environment, requiring regulatory controls.

Table 3: Risk assessment for proposed amendments during construction

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts					
Cat. 52 Electric power generation	Installation and commissioning of diesel generators	Dust and associated with construction activities	Residential premises 2.5 km east and 2km west of the premises	Air	Health and amenity impacts	Slight	Rare	Low	<p>The Delegated Officer considers the separation distance and the limited time for installation and commissioning of the generator sets will not result in an impact on receptors.</p> <p>Construction activities are minor.</p>
	Commissioning of diesel generators	Air emissions including PM, NOx and SOx							

Table 4: Risk assessment for proposed amendments during operation

Risk Event					Consequence rating	Likelihood rating	Risk	Reasoning	
Source/Activities	Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts					
Cat. 52 Electric power generation	Operation of diesel generators	Air emissions including PM, NOx and SOx	Residential premises 2.5 km east and 2km west of the premises	Air	Health and amenity impacts	Slight	Rare	Low	<p>The Delegated Officer considers the separation distance and the limited time of operation of the generator sets will not result in an impact on receptors.</p>

Decision

The Delegated Officer has chosen to amend the Licence subject to conditioning the Licence Holders proposed controls.

Licence Holder controls for the construction and operation of the works are conditioned on the Licence to ensure that works are completed as per the Licence Holder's application. Condition 6.1.1 and 6.1.2 have been included on the licence to authorise the installation of the generator sets.

Conditions 2.2 have been updated to include condition 2.2.2 and Table 2.2.2 to allow the operation of the diesel generator sets for black out conditions and testing purposes only.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 18 January 2018. Comments received from the Licence Holder have been considered by the Delegated Officer as shown in Appendix 2.

Amendment

1. Condition 2.2.1 and Table 2.2.1 of the Licence is amended by the insertion of the red text shown in underline below:

Table 2.2.1: Point source emission points to air

Emission point reference	Emission point reference on Map of emission points	Emission Point	Emission point height (m)	Source, including any abatement
A1	11UHN	Stack 1	35	Siemens V94.2 gas turbine generator, able to run on ultra low sulfur diesel, fitted with low NOx burners
A2	12UHN	Stack 2	35	Siemens V94.2 gas turbine generator , able to run on ultra low sulfur diesel, fitted with low NOx burners
A3	NA	NA	NA	CAT 3516B Diesel Generator set (or equivalent) able to run on ultra-low sulphur diesel
A4				CAT 3516B Diesel Generator set (or equivalent) able to run on ultra-low sulphur diesel
A5				CAT 3516B Diesel Generator set (or equivalent) able to run on ultra-low sulphur diesel
A6				CAT 3516B Diesel Generator set (or equivalent) able to run on ultra-low sulphur diesel

2. The Licence is amended by the insertion of Condition 2.2.2 and Table 2.2.2:

2.2.2 The Licence Holder must ensure that the infrastructure and equipment specified in Column 1 of Table 2.2.2 is maintained in good working order and operated

in accordance with the requirements specified in Column 2 of Table 2.2.2

Table 2.2.2: Diesel Generator Controls Table

Column 1	Column 2
Site infrastructure and equipment	Operational requirements
Four CAT 3516B Diesel Generator sets (or equivalent)	Only operated on ultra-low Sulphur diesel
	Only operated for the purpose of restarting the gas turbines on the premises or during monthly testing for a period not exceeding 90mins

3. The Licence is amended by the inclusion of Section 6 *Works* and the below conditions relating to the works.

4. The Licence is amended by the inclusion of condition 6.1.1

6.1.1 The Licence Holder must install and undertake the Works for the infrastructure and equipment specified in Column 1, in the location specified in Column 2 and to the requirements specified in Column 3 of Table 6.1.1 below.

Table 6.1.1: Works

Column 1	Column 2	Column 3
Infrastructure	Location	Requirements
Four CAT 3516B Diesel Generator sets	In the general location of the area shown in the amended map of emission points below	Only operated on ultra-low Sulphur diesel
		Only operated for the purpose of restarting the gas turbines on the premises or during monthly testing or commissioning for a period not exceeding 90mins

5. The Licence is amended by the insertion of condition 6.1.2

6.1.2 The Licence Holder must notify the CEO in writing of the completion of works as shown in Table 6.1.1 within 7 days of the completion of commissioning

6. The Map of emission points is amended to include the general location of emission point A3, A4, A5 and A6 as per the below map.

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8026/2004/6 – Ratch Kemerton Power Station	L8026/2004/6	accessed at www.dwer.wa.gov.au
2	Licence amendment application and supplementary information	NA	DWER records (A1584622)
3	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.		accessed at www.dwer.wa.gov.au
4	DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.		
5	DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.		
6	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.		

Appendix 2: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Notice on 18 January 2018 for review and comment. The Licence Holder responded on 22 January 2018 waiving the remaining comment period. The following comments were received on the draft Amendment Notice.

Condition	Summary of Licence Holder comment	DWER response
2.2.1	Amend table 2.2.1 to include ' <i>or equivalent</i> ' to allow alternative generators types if required.	Agreed- condition changed accordingly