



Licence Number	L8725/2013/1
Works Approval Holder	Merredin Energy Pty Ltd
ACN	124 273 025
File Number	2012/006425
Premises	Merredin Peak Power Station Lot 139 on Plan 72480 MERREDIN WA 6424
Date of Amendment	2 November 2017

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: 2 November 2017

Paul Byrnes

MANAGER LICENSING (PROCESS INDUSTRIES)

REGULATORY SERVICES (ENVIRONMENT)

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
ACN	Australian Company Number
CEO	means Chief Executive Officer
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
EP Act	Environmental Protection Act 1986 (WA)
EP Regulations	Environmental Protection Regulations 1987 (WA)
Premises	refers to the premises to which this Amendment Notice applies, as specified in this Amendment Notice.

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 DER guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles* (July 2015);
- *Guidance Statement: Setting Conditions* (October 2015);
- *Guidance Statement: Decision Making* (November 2016); and
- *Guidance Statement: Publication of Annual Audit Compliance Reports* (May 2016).

Amendment description

This amendment is the result of an application submitted by the Licence Holder and relates to the reduction in the frequency of emission to air testing and the method used. The Licence Holder has applied to have the frequency of air emission testing reduced from annually to every five years and to have the method for Sulphur dioxide emission testing changed to include to USEPA Method 6C.

The plant operates during periods of high power demand for approximately 50hrs per year.

Amendment history

Table 1 provides the history of approvals granted under the provisions of the EP Act.

Table 2: Regulatory approvals granted for the premises

Approval Granted	Date	Comment
W4892/2011/1	19/5/2011	Works Approval issued
L8725/2013/1	14/3/2013	Licence issued
L8725/2013/1	29/4/2016	Notice of Amendment—expiry date amended until 2034
L8725/2013/1	XX/11/2017	Amendment Notice 1: Reduced emission testing—to every fifth year.

Decision

The Delegated Officer notes that the nearest residence is approximately 1.8 Km from the premises and the Town of Merredin is 8km north of the premises.

Condition 1.3.1 of the Licence limits the plant to operating for a total of 300hrs per year. Table 3 below shows the hours the plant has operated each year since 2012 with a total of 271.8 hours and an average of 54.36 hours of operation over the 5 year period.

Table 3: Hours of operation

Year	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	Total	Average
Operating hours	36	40	143	32.5	20.3	271.8	54.36

Monitoring has shown that plant operates well below the licence limits for air emissions of NOx. With results showing approximately 60mg/m³ and the Licence Limit being 109mg/m³.

Condition 1.3.2 of the Licence limits the sulphur content of the fuel used in the plant to 10mg/kg.

Given the limited operating hours, the history of air emission monitoring and the separation distance to the nearest receptor the Delegated Officer has determined that the Licence can be amended to reduce the frequency of emission to air testing to once every five years.

The Delegated officer has determined that the use of USEPA Method 6C is also appropriate for analysing sulphur dioxide emissions from the plant.

Licence Holder's comments

The Licence Holder was provided with a draft amendment notice on 26 October 2017 and chose to waive the 21 day period without making comment.

Details of the Amendment

- The Registered office and the ACN detailed on the Licence are amended by the deletion of the text below shown in strikethrough and by the insertion of the red underlined text shown below:

~~Level 4, 165 Adelaide Terrace
EAST PERTH WA 6004~~

~~ACN 135 889 851~~

Level 16, 15 William Street
MELBOURNE Vic 3000

ACN: 124 273 025

- Table 3.2.1 of the Licence is amended by the deletion of the text shown in strikethrough and the insertion of the red underlined text shown below:

Table 3.2.1: Monitoring of point source emissions to air				
Emission point reference	Parameter	Units^{1, 3}	Frequency^{2, 4}	Method
A1 and A2	Sulphur dioxide	mg/m ³ g/s	Annually <u>Every 5 years</u>	USEPA Method 6 or 6C
	Nitrogen oxides			USEPA Method 7E or 7D
	Carbon monoxide			USEPA Method 10
	PM			USEPA Method 5 or USEPA Method 17

Note 1: All units are referenced to STP dry

Note 2: Monitoring shall be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production.

Note 3: All units are referenced to and to 15% O₂.

Note 4: Annual monitoring should be undertaken at least 9 months apart.