



CEO-initiated works approval amendment

Division 3, Part V *Environmental Protection Act 1986*

Works approval number	W6349/2020/1
Works approval holder	Puma Energy (Australia) Bitumen Pty Ltd
ACN	147 981 020
File Number	DER2020/000002
Premises	Puma Energy Bitumen Kwinana 49 Port Road KWINANA BEACH WA 6167
Date of report	14 March 2022
Status of report	Final

Amendment description

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the existing works approval issued in respect the prescribed premises as set out below. This notice of amendment is hereby given under section 59B(9) of the EP Act.

This amendment is limited to extending the duration of time limited operations. No other changes have been made to existing conditions or works approval holder obligations.

In completing the assessment documented in this report, the department has considered and given due regard to its regulatory framework and relevant policy documents which are available at <http://dwer.wa.gov.au/regulatory-documents>.

Background

Puma Energy (Australia) Bitumen Pty Ltd (works approval holder) hold works approval W6349/2020/1 for a 2-stage development of a bitumen manufacturing facility at 49 Port Road, Kwinana Beach (the premises). Stage 1 was completed in April 2021 and is currently being operated under the time-limited operation provisions of W6349.

The works approval holder applied for a licence for ongoing operations of stage 1 in December 2021, with stage 2 still under construction. The department is currently processing the licence application.

W6349 currently provides for a time limited operational period of up to 10 months, which finishes on 17 March 2022 for stage 1. This period was specified as 6 months in the original works approval, and has already been extended once, by four months, through a department-initiated amendment in October 2021.

The department had expected to have issued a licence for the premises before now, to authorise ongoing operation of stage 1. The department has therefore initiated a second amendment to extend the duration of time limited operations by a further 8 months to ensure operations can continue whilst it progresses the licence application.

Decision

The delegated officer notes the current time limited operational period for stage 1 finishes on 17 March 2022 and that a licence application has been submitted by the works approval holder. The delegated officer has determined that extending the duration of time limited operations by a further 8 months is appropriate on the basis that it should allow sufficient time for the department to finalise the current licence application to authorise ongoing operations of stage 1.

In determining to amend the duration of time limited operations, the following matters were considered by the delegated officer:

- an extension to the duration of time limited operations will not change the risk profile of the premises, or change the risks posed by the ongoing emissions from the premises;
- the premises will continue to operate under the existing works approval conditions specified for time limited operations;
- the premises will be subject to ongoing compliance inspections and investigations following incidents and complaints, in accordance with the EP Act; and
- in the event that risk issues arise in relation to the premises, the CEO may a) amend the works approval conditions at any point, and b) in the event of an alleged offence, exercise enforcement powers under the provisions of the EP Act.

The delegated officer has therefore amended W6349 in accordance with section 59(1) of the EP Act by extending the duration of time limited operations from 10 months to 18 months.

Consultation

The works approval holder was provided with drafts of the amended works approval and this report on 11 March 2022 and waived the consultation period with no comment.

Conclusion

The delegated officer has determined to amend the existing works approval, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

Daniel Hartnup
A/MANAGER, PROCESS INDUSTRIES
REGULATORY SERVICES

An officer delegated by the CEO under section 20 of the EP Act