



Application for Licence Amendment

Division 3, Part V *Environmental Protection Act 1986*

Licence Number	L5245/1967/14
Applicant	Alcoa of Australia Ltd
ACN	004 879 298
File Number	2010/007402-3
Premises	<p>Kwinana Alumina Refinery Hogg Road Naval Base, WA 6165</p> <p>Legal description - Public Transport Authority Lease No. 2641 (MTL Pipeline), Easement No. 3134B/996 on Crown Reserve 24901 (Jetty Easement), Lot 102 on Plan 18242, Lot 171 on Plan 180286, Lot 99 on Plan 17761, Lot 51 on Plan 20582, Lot 164 on Plan 174095, Landcorp Lease MTL Pipeline on Lot 114 on Plan 29392, Part Lot 304 on Diagram 72808, MTL Pipeline (Bayardo Pty Ltd lease) Lot 115 on Plan 48295, MTL Pipeline (DPI Lease) Lot 214 on Plan 184629, Lot 200 on Diagram 61086, North MTL Pipeline Lot 113 on Plan 20587, Part Lot 501 on Plan 72707</p>
Date of Report	1 October 2019
Status of Report	Final

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Definitions of terms and acronyms

In this Decision Report, 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
AGMR	Annual Groundwater Monitoring Report
Amended Licence	the amended Licence issued under Part V, Division 3 of the EP Act following the finalisation of this assessment.
Amendment Report	refers to this document
AS/NZS 3580.1.1:2007	Australian and New Zealand Standard AS/NZS 3580.1.1:2007 <i>Guide to siting air monitoring equipment</i>
Category/ Categories	Categories of prescribed premises as set out in Schedule 1 of the EP Regulations
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	<i>Environmental Protection Act 1986 (WA)</i>
EP Regulations	<i>Environmental Protection (Kwinana) (Atmospheric Wastes) 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 amendment
Kwinana EPP	<i>Environmental Protection (Kwinana Atmospheric Waste) Policy (1999)</i>
Licence Holder	Alcoa of Australia Limited
PM ₁₀	used to describe particulate matter that is smaller than 10 microns (µm) in diameter
Prescribed premises	has the same meaning given to that term under the EP Act.

Term	Definition
Premises	refers to the premises to which this Amendment Report applies, as specified at the front of this Amendment Report.
Residue	refers to process tailings from the Bayer process of extracting alumina from bauxite.
Risk event	as described in <i>Guidance Statement: Risk Assessment</i>
RSA	Residue Storage Area
TSP	Total Suspended Particulates

1. Purpose and scope of assessment

Alcoa of Australia Limited (Alcoa) holds licence L5245/1967/14 for the operation of the Kwinana Alumina Refinery. Alcoa lodged an application to amend the Existing Licence on 24 April 2019 (Alcoa 2019). Appendix 1 contains a list of the documents that form the application.

There are three minor amendments requested by Alcoa, which are summarised below:

1. Revision of *Attachment 3 Dust monitoring location at the Alcoa Kwinana Alumina Refinery*. Attachment 3 requires revision due to the relocation of the Residue North East licenced ambient dust monitor previously located at Lot 23 Mandogalup Road, to a location within the Norkett Road Reserve.
2. Revision of the date for submission of *Environmental Protection (Kwinana Atmospheric Waste) Policy 1999* (Kwinana EPP) data specified within condition P2(d) (ii); to align with amendments to reporting dates made in 2017 (1 April changed to 1 May).
3. Removal of conditions A25 – A27 and related licence *Attachment 5 Shiploading monitoring area* due to the condition being met by Alcoa.
4. Removal of condition A9(d)(i) as Alcoa no longer use tapered element oscillating microbalance analysers in its dust monitoring program.

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.

This report is limited only to minor amendments for the monitoring of dust emissions and some administrative amendments. No changes to the aspects of the Existing Licence relating to the Categories under which the Licence is prescribed have been requested by the Licence Holder.

The guidance statements that have informed the decision are listed in Appendix 1.

1.1 CEO initiated amendment

In conjunction with the amendment application submitted by Alcoa, the CEO has initiated an amendment to the type and style of the licence, and to amalgamate the existing Amendment Notices within the Amended Licence. DWER has not undertaken any additional risk assessment of the Premises associated with the amalgamation of the Amendment Notices in the Amended Licence.

The CEO has:

- included into the Amended Licence Amendment Notice 1 issued 5 May 2017 as listed in Table 2 below; and
- updated the style and appearance of the Amended Licence.

Amendment Notice 1 is located in Attachment 1 of this report.

1.2 Works approval and licence history

Table 2 provides the recent works approval and licence history for the Premises.

Table 2: Works approval and licence history

Instrument	Issued	Details
W4353/2007/1	20/12/2007	Works approval for construction of Residue Area N.

Instrument	Issued	Details
L5245/1967/14	03/09/2014	Licence issued for a Category 5, 46, 52, 58, 64 and 67 premises.
W5757/2014/1	30/05/2015	Works approval for a filtration project that alters the way Residue tailings are handled and stored.
L5245/1967/14	29/04/2016	Licence amendment to change expiry date from 02 September 2016 to 02 September 2022.
L5245/1967/14	15/05/2017	<i>Amendment Notice 1</i> – Alter the date of submission from 1 April to 1 May for the Annual Groundwater Monitoring Report (AGMR), the addition of a physical address to the CEO address for correspondence, the creation of two new landfill cells within Area F of the existing RSA, and administrative amendment to correct an error in numbering of Attachment 5 of the licence.
L5245/1967/14	01/10/2019	Licence amendment to relocate Residue North East dust monitoring station and three administrative changes to the licence. The amendment includes a CEO initiated amendment as per section 59 of <i>Environmental Protection Act 1986</i> to amalgamate the separately issued amendment notice to the licence.

2. Background

Alcoa holds licence L5245/1967/14 for a Category 5, 46, 52, 58, 64 and 67 premises under the EP Act for the Kwinana Alumina Refinery as detailed in Table 3, with bauxite refining being the main activity.

The Premises, located within the Kwinana industrial area has been operational since 1963 and is subject to the Kwinana EPP and *Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992*.

Bauxite is supplied from the Huntly Mine near Pinjarra by overland conveyor to Pinjarra refinery and then on to the Kwinana refinery via a railway. Alumina is extracted at the Kwinana refinery by mixing the bauxite with caustic soda, and then pressure heating. This refining process produces Residue. The Residue is transported via a pipeline easement that links the refinery to the RSA approximately five kilometres east. Recycled water collected from the RSA is returned to the refinery via a pipeline.

Table 3 lists the Prescribed premises Categories that are included on the Existing Licence.

Table 3: Prescribed premises Categories in the Existing Licence

Classification of Premises	Description
Category 5	Processing or beneficiation of metallic or non-metallic ore: premises on which — (a) metallic or non-metallic ore is crushed, ground, milled or otherwise processed; or (b) tailings from metallic or non-metallic ore are reprocessed; or (c) tailings or residue from metallic or non-metallic ore are discharged into a containment cell or dam.
Category 46	Bauxite refining: premises (other than premises within paragraph (b) of Category 5) on which alumina is produced from bauxite refining.

Classification of Premises	Description
Category 52	Electric power generation: premises (other than premises within Category 53 or an emergency or standby power generating plant) on which electrical power is generated using a fuel.
Category 58	Bulk material loading or unloading: premises on which clinker, coal, ore, ore concentrate or any other bulk granular material (other than salt) is loaded onto or unloaded from vessels by an open materials loading system.
Category 64	Class II or III putrescible landfill site: premises (other than clean fill premises) on which waste of a type permitted for disposal for this Category of prescribed premises, in accordance with the <i>Landfill Waste Classification and Waste Definitions 1996</i> , is accepted for burial.
Category 67	Fuel burning: premises on which gaseous, liquid or solid fuel is burnt in a boiler for the supply of steam or in power generation equipment.

There is potential for dust to be generated from the RSA which could impact on sensitive receptors, and in order to monitor the potential impact to receptors the Amended Licence includes conditions requiring implementation of an ambient dust monitoring program.

Specifically, condition A9(a) of L5245/1967/14 requires that the Licence Holder shall operate and maintain a dust monitoring program that measures the following parameters:

- (i) TSP dust levels generated from the RSA and refinery; and
- (ii) PM₁₀ dust levels at ambient locations in the proximity of the RSA.

Alcoa operate five dust monitoring stations at locations surrounding the RSA. The Residue North East dust monitor is located at Lot 23 Mandogalup Road. However, due to a retraction of the land access agreement by the third party, the monitor is required to be relocated. Alcoa has established a new location for the Residue North East dust monitor within the Norkett Road Reserve and commenced monitoring at the new location on 19 December 2018. The coordinates of the new location of the Residue North East dust monitor are listed in Table 4 below.

Table 4: Coordinates of the Residue North East ambient dust monitor

Latitude	Longitude
32°11'49.68"S	115°50'24.88"E

In addition to the above dust monitoring program, from 1 June 2014 to 31 July 2015 Alcoa conducted a program of dust monitoring at locations in proximity to the shiploading activities in order to comply with requirements of conditions A25 and A26 of the licence L5245/1967/14. The outcomes of the monitoring program were reported in the *Kwinana Foreshore Ambient Dust Assessment Report* (GHD 2015) and provided to the DWER on 16 December 2015 to meet condition A27 requirements. All required monitoring and reporting under conditions A25 to A27 is now complete.

3. Location and siting

3.1 Siting context

The refinery is located on the western margin of the Swan Coastal Plain, approximately 28 kilometres south of Perth within the Kwinana industrial area. The RSA is located approximately five kilometres to the east of the refinery on land owned by Alcoa. The refinery is in an area zoned “general industry” and the RSA in an area zoned “Rural B” under the City of Kwinana’s Town Planning Scheme No. 2. To the west of the refinery is Cockburn Sound and to the south is the Kwinana Power Station. The RSA is surrounded by Rural A and B zoned areas to the north, east and south, and general industry to the west.

3.2 Residential and sensitive receptors

The distance from the RSA to the nearest residential receptors is detailed in Table 5.

Table 5: Receptors and distance from activity boundary

Sensitive Land Uses	Distance from the RSA
Residential premises	Approximately 2km east and south of the RSA.

3.3 Specified ecosystems

The distances from the RSA to specified ecosystems are shown in Table 6. Table 6 also identifies the distances to other relevant ecosystem values which do not fit the definition of a specified ecosystem.

Table 6: Environmental values

Specified ecosystems	Distance from the RSA
Ramsar Sites in Western Australia	Thomsons Lake is 3.3km north of the RSA.
Important wetlands – Western Australia	<ul style="list-style-type: none"> Multiple use category wetland (Mandogalup Swamp South) is 350m east of the RSA; Conservation category wetland (Spectacles North) is approximately 500m southeast of the RSA; Resource enhancement category wetland (Wattleup Lake) is 660m north of the RSA. Conservation category wetland (Long Swamp) is approximately 900m west of the RSA.
Parks and Wildlife Managed Lands and Waters	Nature Reserves and Conservation Parks are approximately 1.9km north of the RSA.
Bush Forever: Regional open space or proposed regional open space	Approximately 200m north and on the northeast and southeast boundary of the RSA.
Regional Parks	Beelie Regional Park is approximately 200m southeast of the RSA.
Threatened Ecological Communities and Priority Ecological Communities	<ul style="list-style-type: none"> Priority 3 Threatened Ecological Communities (Banksia woodland) are on the RSA boundary; Endangered Threatened Ecological Communities (SCP26a) are on the southern boundary of the RSA; Critically Endangered Threatened Ecological Communities (SCP19b) are 3.9km southwest of the RSA.

Biological component	Distance from the RSA
Threatened/Priority Flora	Approximately 1.5km southeast of the RSA.
Threatened/Priority Fauna	Within the Premises and its immediate surrounds.
Other relevant ecosystem values	Distance from the RSA
<i>Environmental Protection (Kwinana Atmospheric Waste) Policy 1999</i>	The Premises is within the Kwinana EPP area.

4. Risk assessment

Table 7 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments* (DER 2017). This table identifies whether the emissions present a material risk to public health or the environment, requiring regulatory controls.

Table 7: Risk assessment for proposed amendments during operation

Risk Event				Consequence rating ¹	Likelihood rating ¹	Risk ¹	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Source/ Activities	Potential emissions	Potential receptors, pathway and impact	Applicant controls					
RSA	Dust	Air/windborne pathway causing impacts to health and amenity of closest residential receptors approximately 2km south and east of the RSA.	<ul style="list-style-type: none"> One kilometre buffer and 0.5 kilometre non-sensitive land use transition zone (Mandogalup north and northeast and Mandogalup east buffer zones) exist around the RSA. The Residue filtration system reduces the need for exposed surface areas for 	Moderate	Possible	Medium	<p>Due to wind pattern in the locality, dust which is blown from the RSA is predominantly blown to the north and northeast where buffer zones are present.</p> <p>The Licence Holder's dust mitigation controls are likely to be</p>	<p>Existing conditions A1, A9(a) – (d), A10 and A13(b) respectively requires the implementation and maintenance of dust control measures, an ambient dust monitoring program and data collection and reporting to the DWER.</p> <p>The existing ambient dust monitoring</p>

Risk Event				Consequence rating ¹	Likelihood rating ¹	Risk ¹	Reasoning	Regulatory controls (refer to conditions of the granted instrument)
Source/ Activities	Potential emissions	Potential receptors, pathway and impact	Applicant controls					
		Air/windborne pathway causing potential suppression and contamination to vegetation and soil, respectively, adjacent to the RSA.	<p>Residue drying, by removing excess filtrate prior to storage, reducing the dust potential from the RSA.</p> <ul style="list-style-type: none"> • Unsealed roads and RSA operating areas are wet down with water cart. • Sprinklers are used where required. • Internal dust monitors with alarms and visual monitoring by operators of the RSA provide information in the investigation of dust events. • Mulching, bituminizing and revegetation of completed areas are additional dust control measures implemented where appropriate. 	Moderate	Unlikely	Medium	sufficient at mitigating dust emissions.	<p>network includes TSP and PM₁₀ dust monitors located at and around the RSA and refinery.</p> <p>The Residue North East monitor has been moved to the Norkett Road Reserve which is considered a suitable location as it is in proximity to the previous monitor (400m southeast) and the site complies with the AS/NZS 3580.1.1:2007 <i>Guide to siting air monitoring equipment.</i></p>

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the Department's Guidance Statement: Risk Assessments (February 2017).

5. Decision

The Delegated Officer has considered the Licence Holder's application to amend licence L5245/1967/14 as described in section 2 and has determined to amend the licence based on the following:

1. Based on the risk assessment in Table 6, the Delegated Officer has determined that an amendment of the licence to relocate the Residue North East ambient dust monitor from Lot 23 Mandogalup Road to a location within the Norkett Road Reserve is suitable based on the reasoning below:

Alcoa have a land lease agreement with the City of Kwinana which gives them legal access to the Residue North East monitoring location on the Norkett Road Reserve until 15 December 2022. The new station is located approximately 400 metres southeast of the original one and is still in a northeast direction of the RSA. The Existing Licence includes conditions relating to the control and monitoring of fugitive dust emissions from the RSA. The risk assessment has identified that the new monitoring location as part of the ambient monitoring network is appropriate as it complies with the AS/NZS 3580.1.1:2007 *Guide to siting of air monitoring equipment*. Therefore, the Delegated Officer considers the new location of the monitor suitable to monitor TSP emissions in accordance with the licence conditions A9(a) – (d). The Delegated Officer has therefore determined to grant an amendment to the licence to relocate the Residue North East ambient dust monitor to the location within the Norkett Road Reserve.

2. Under conditions P2(a) and P2(d) (ii) of the Kwinana EPP, Alcoa shall establish an emissions monitoring system to monitor waste gases, and provide the data to the CEO, respectively. Amendment Notice 1 granted on 15 May 2017, authorised an amendment of submission dates of the AGMR from 1 April to 1 May, and hence the Delegated Officer considers an amendment to the submission date of the Kwinana EPP data from 1 April to 1 May to be suitable in order to align the submission of the reports. Therefore, the Delegated Officer has determined to grant an amendment to the licence to change the date of submission of Kwinana EPP data specified within condition P2(d) (ii) from 1 April to 1 May.
3. Conditions A25 – A27 require Alcoa to implement a dust monitoring program within 90 days of receiving relevant approvals to install monitors to measure ambient dust levels generated from shiploading activities and provide an Ambient Dust Assessment Report within 6 months of achieving 12 months of data. Alcoa implemented the required dust monitoring program at the specified location from 13 June 2014 to 31 July 2015 and submitted the report on 11 December 2015. Therefore, the Delegated Officer has determined that conditions A25 – A27 of the licence and Attachment 5 which illustrates the location of the monitoring site are now redundant. The licence has been amended by removing conditions A25 – A27 and *Attachment 5 Shiploading monitoring area*.

Under condition A9(d) (i) Alcoa shall operate and maintain the dust monitoring program referred to in condition A9(a) in accordance with AS/NZS 3580.9.8:2008 "Methods for sampling and analysis of ambient air – Determination of suspended particulate matter – PM10 continuous direct mass method using a tapered element oscillating microbalance analyser". Alcoa have advised the DWER that it no longer uses this method. Given that Alcoa continue to use the remaining methods for ambient dust monitoring as stipulated in condition A9(d) (ii) and (iii), the Delegated Officer has determined that condition A9(d) (i) is not required. The licence has therefore been amended by removing this condition and renumbering the subsequent

conditions accordingly. The methods referred to in condition A9(d) have been superseded and thus the licence has also been amended by referring to updated methods. The Delegated Officer has amended licence L5245/1967/14 in accordance with section 59(1) of the EP Act. The amendments to the licence are described in section 8.1.

6. Applicant's comments

The Licence Holder was provided with the draft Amendment Report and draft Amended Licence on 23 August 2019. The Licence Holder provided comments which are summarised, along with DWER's response, in Appendix 2.

7. Conclusion

Based on this assessment, it has been determined that the Amended Licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

7.1 Summary of amendments

Table 8 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the Amended Licence as part of the amendment process.

Table 8: Licence amendments

Related condition No.	Issued	Proposed amendments
A9(a) – (d)	01/10/2019	Relocation of the Residue North East ambient dust monitor from Lot 23 Mandogalup Road to a location within the Norkett Road Reserve.
A9(d)		Removal of condition A9(d) (i), and renumbering of subsequent conditions accordingly. Update of methods referred to in the condition as previous methods have now been superseded.
A25 – A27		Removal of conditions A25 – A27 and related <i>Attachment 5 Shiploading monitoring area</i> .
P2(d) (ii)		Revision of the date for submission of <i>Environmental Protection (Kwinana Atmospheric Waste) Policy 1999</i> (EPP) data to align with amendments to reporting dates made in 2017 (1 April changed to 1 May).
CEO initiated amendment to update the type and style of the licence and incorporate <i>Amendment Notice 1</i> which includes:		
-	29 April 2016	Amendment by notice to change the licence expiry date from 2 September 2016 to 2 September 2022.
-	15 May 2017	Amendment to add a new landfill cell and to make some administrative changes to the licence.
G2(a)	15 May 2017	Amendment of the date that the Annual Environmental Report is to be provided to the DWER.
G3	15 May 2017	Amendment to the date that the Annual Audit Compliance Report is to be provided to the DWER.

W10	15 May 2017	Amendment of the date that the Annual Groundwater Monitoring Report is to be provided to the DWER.
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Caron Goodbourn
Manager, Process Industries
Delegated Officer
under section 20 of the *Environmental Protection Act 1986*

Appendix 1: Key documents

	Document title	In text ref	Availability
1.	Licence L5245/1967/14 and Decision Report	L5245/1967/14	accessed at www.der.wa.gov.au
2.	GHD, November 2015. <i>Alcoa of Australia: Kwinana Foreshore Ambient Dust Assessment Report</i> . GHD, Perth.	GHD 2015	DWER records (A1022681)
3.	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	DER 2015	accessed at www.dwer.wa.gov.au
4.	DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2017	
5.	DWER, June 2019. <i>Guideline: Decision Making</i> . Department of Environment Regulation, Perth.	DWER 2019	

Appendix 2: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder comment	DWER response
A9(d)(i)	Alcoa no longer uses tapered element oscillating microbalance analysers, and so requests that condition A9(d)(i) be removed and the remaining methods be renumbered accordingly.	Change has been made.
A9(d)(ii)	The standard in this condition (AS/NZS 3580.9.9: 2003) has been superseded by AS/NZS 3580.9.3: 2015. Alcoa suggests that this condition be updated, with conversion of the new standard to be effected no later than 1 January 2020.	Change has been made.
A9(d)(iii)	The standard in this condition (AS/NZS 3580.9.11: 2008) has been superseded by AS/NZS 3580.9.11: 2016. Alcoa suggests that this condition be updated, with conversion of the new standard to be effected no later than 1 January 2020.	Change has been made.
P3(b)	As per the 26 August 2019 correspondence from Kwinana Industries Council (KIC), Alcoa requests this condition be removed. Alternatively, Alcoa requests CEO approval for an exemption condition that makes allowance for exclusion time periods affected by outages as a result of vandalism, power supply impacts beyond the control of the licensee for conditions P3(b) and P4(c).	This change is significant and requires a new risk assessment and is beyond the scope of the current application and will therefore not be assessed at this time. The Delegated Officer recommends that this request be made through a separate amendment application with the relevant supporting information.
Licence and Amendment Report front page	The premises legal description (Page 1 of licence and amendment report) should be consistent with the original licence or previous amendment.	Change has been made.

Condition	Summary of Licence Holder comment	DWER response
Licence Tables	Alcoa would prefer the tables be kept together on one page where possible, e.g. Tables 2; 3; and 4.	Change has been made.
Licence Attachments	Attachment numbers need to be amended to account for the removal of two attachments. Text relating to attachments should be updated accordingly in the Definitions (“Dust Collector”), Table 11 and Condition E1.	Change has been made.
Licence Attachment 2	Should be labelled Alcoa Kwinana RSAs and Landfill Cells located within the RSAs.	Change has been made.
Licence Attachment 3	Updated map provided.	Updated map added as Attachment 3.
	Definition of Cooling Ponds should only refer to Attachment 1.	Change has been made.
Licence Definitions	Alcoa noted that the definition of Groundwater Monitoring and Management Plan makes reference to DER instead of DWER.	Change has been made from DER to DWER.
Amendment Report Definitions	Revise definition of Residue to: process tailings from the Bayer process of extracting alumina from bauxite.	Change has been made.

Attachment 1:

Amendment Notice 1

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)
- *Guidance Statement: Risk Assessment* (November 2016)

Amendment Description

Alcoa of Australia Limited (the Licence Holder) holds Licence L5245/1976/14 for the operation of the Kwinana Alumina Refinery.

This licence amendment has been requested by the Licence Holder in an amendment application received by the DER on 15 February 2017.

There are four amendments requested by the Licence Holder, which are summarised below:

1. Alter the date of submission from 1 April to 1 May for the Annual Groundwater Monitoring Report (AGMR) required by condition W10; Annual Environmental Report (AER) required by condition G2; and Annual Audit Compliance Report (AACR) required by condition G3. The Licence Holder requested this extension to allow more time to prepare the reports.
2. The addition of a physical address to the CEO address for correspondence, as the Licence Holder would like to physically deliver any reports to DER and receive a receipt from DER confirming that the reports have been delivered.
3. The creation of two new landfill cells within Area F of the existing Residue Disposal Area (RDA) to replace existing landfill cells which are reaching capacity and will be capped once the new cells are commissioned.
4. Administrative amendment to correct an error in the numbering of Attachment 5 of the licence.

Decision

The Delegated Officer considered the requested amendments with regard to DER's *Guidance Statement: Decision Making* and *Guidance Statement: Risk Assessments*. The Delegated Officer's consideration and determination of each point are outlined below.

Reporting dates

The Delegated Officer agreed with the Licence Holder's proposed change of the AGMR, AER and AACR submission date to 1 May and has amended the reporting conditions.

CEO definition

The Delegated Officer noted that the definition of CEO in the licence is outdated and has updated the definitions in the licence. The definition does not include a physical address as this may be subject to change from time to time; however, this does not preclude the Licence Holder from delivering reports to a DER office on request. The specified email address (info@der.wa.gov.au) in the updated definition provides automated acknowledgement of receipt, and the Licence Holder may opt for delivery by registered post.

Proposed Landfill Cells

The existing Class II landfill cell is within Area F of the RSA; the Licence Holder is proposing to complete this cell and construct a new cell in Area F. The types and volumes of waste accepted in the landfill are not expected to change. The Delegated Officer considers that the location of a new cell in the same area will not change the risk profile of the Premises. The regulatory controls in the licence will continue to apply to the new area and are considered appropriate. Therefore, the Delegated Officer is satisfied that the current licence controls are sufficient and that no changes to the licence conditions are required other than to update the plan showing the location of the landfill in Attachment 2 of the licence.

Correction of Attachment 5 reference

With reference to DER's *Guideline: Annual Audit Compliance Reports*, the approved AACR form is now available on DER's website at www.der.wa.gov.au. In response to the Licence Holder's request to correct the numbering error in the licence attachments, the Delegated Officer has removed Attachment 5 (AACR form) from the licence and updated the licence definitions and AACR reporting condition accordingly.

Amendment History

Table 1 provides the amendment history for L5245/1967/14.

Table 1: Licence amendments

Instrument	Issued	Amendment
L5245/1967/14	29 April 2016	Amendment by notice to change licence expiry date
L5245/1967/14	15 May 2017	Amendment Notice 1 Amendment to add a new landfill cell and to make some administrative changes to the licence.

Licence Holder's Comments

The Licence Holder was provided with the draft Amendment Notice on 26 April 2017. The Licence Holder signed the 21 day waiver form and pointed to a couple of administrative errors that have been changed in this Amendment Notice.

Amendment

1. The definitions of the licence are amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

~~'CEO' for the purpose of correspondence means;
Manager Licensing (Greater Swan)
Department of Environment Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550
Email: grswanbooragoon@der.wa.gov.au;~~

'Annual Audit Compliance Report' means a report in a format approved by the CEO as presented by the Licence Holder or as specified by the CEO (guidelines and templates may be available on the Department's website).

'CEO' for the purposes of notification means:
Director General
Department Administering the Environmental Protection Act 1986
Locked Bag 33 Cloisters Square
PERTH WA 6850
info@der.wa.gov.au

'Department' means the department established under s.35 of the Public Sector Management Act 1994 and designated as responsible for the administration of Part V, Division 3 of the EP Act.

2. Condition G2(a) of the licence is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

G2(a) ~~The licensee shall provide the CEO with three copies of an annual~~ environment ~~report (including one electronic version), and the report shall cover the period from 1 January to 31 December and shall be provided by 4 April~~ 1 May ~~the following year.~~

3. Condition G3 of the licence is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

G3 ~~The licensee shall by 4 April~~ 1 May ~~in each year, provide to the CEO an annual audit compliance report in the form in Attachment 6 to this licence, signed and certified in the manner required by Section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under Part V of the Act for the Premises, during the period beginning 1 January the previous year and ending on 31 December in that year.~~

4. Condition W10 of the licence is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

*W10 The licensee shall submit to the CEO an Annual Groundwater Monitoring Report by the ~~1 April~~ 1 May for the preceding period **1 January to 31 December**, which shall include but not be limited to the following:*

- (i) The results of the monitoring program implemented pursuant to condition W1 and W3;*
- (ii) An analysis of the results of the monitoring program implemented pursuant to condition W1 and W3;*
- (iii) Details of any groundwater monitoring bores listed in the Groundwater Monitoring and Management Plan that are de-commissioned or rendered unusable in the reporting period; and*
- (iv) Action taken or planned actions to compensate for the bores identified pursuant to condition W10(iii) in order to maintain effective monitoring coverage.*

5. The plan titled 'Alcoa Kwinana Landfill located within the RSAs' in Attachment 2 of the licence is replaced it with the plan titled 'Alcoa Kwinana RSAs and Landfill Cells' attached to this Amendment Notice.
6. The licence is amended by the deletion of *Attachment 5 'Annual Audit Compliance Report Proforma'*.

Attachment 2: Amended Licence L5245/1967/14