



Application to amend a licence

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

Licence Number	L7353/1996/10
Licence Holder	Monadelphous Energy Services Pty Ltd
ACN	081 037 121
File Number	2010/008360
Premises	KMK Cogeneration Facility Part Lot 22 on Diagram 88339 Mason Road KWINANA BEACH WA 6167
Date of Report	20/02/2023
Decision	To grant a licence

Senior Environmental Officer, Industry Regulation

An officer delegated by the CEO under section 20 of the *Environmental Protection Act 1986*

1. Decision summary

Under the regulatory framework the Delegated Officer decided to process the application to amend licence L7353/1996/10 without conducting any additional risk assessment.

The licence is issued for 20 years, which is consistent with the *Guidance Statement on Licence Duration 2016*. In amending the licence the Delegated Officer has determined to:

- update the format and appearance of the licence;
- remove redundant conditions;
- include conditions considered necessary for the effective administration of the licence (i.e. record keeping and reporting requirements);
- include all infrastructure into condition 1, *Table 1: infrastructure and equipment requirements*;
- correct clerical mistakes and unintentional errors; and
- transfer all existing regulatory controls and conditions to the new licence.

As a result of the above, the Delegated Officer decided to grant Licence L7353/1996/10, subject to conditions set out in the attached licence.

2. Scope of assessment

2.1 Application summary

On 8 February 2023 Monadelphous Energy Services Pty Ltd (licence holder) applied to amend licence L7353/1996/10. The licence was granted to the licence holder for the premises located at KMK Cogeneration Facility Part Lot 22 on Diagram 88339 Mason Road Kwinana Beach (Premises).

The licence relates to prescribed premises categories as described in Table 1.

Table 1: Premises category description and production design capacity

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Production / design capacity
Category 52: Electric power generation	38 MWe

The KMK Cogeneration Facility provides electricity directly into Western Power's South West Interconnected System (SWIS) and process steam to Tronox. Natural gas from the Dampier to Bunbury gas pipeline is provided to a 38MW gas turbine (GT) where the turbine exhaust gas provides energy to a 76 tonne per hour heat-recovery steam-generating plant (HRSG).

The Gas Turbine is capable of being operated in two modes:

- Cogeneration Mode: The exhaust of the GT is directed into the HRSG. The HRSG converts the waste heat from the GT exhaust into process steam for Tronox and NOx suppression steam for the GT; and
- Open Cycle Mode: The GT exhaust is diverted directly to the atmosphere via the HRSG bypass damper. This operating mode is used whenever the HRSG is unavailable for service.

In granting the licence, the Delegated Officer has considered and given due regard to the department's regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

3. Considerations for amending the licence

3.1 Compliance and enforcement actions

There have been no incidents or complaints identified at the Premises by the department in the last five years. There have been no enforcement actions taken against the occupier in the last 5 years regarding the licence.

3.2 Legal occupancy

The licence holder has demonstrated legal occupancy of the Premises.

3.3 Planning approval

The licence holder has informed the department that planning approval is still valid for the activities on the Premises.

4. Summary of changes to the licence conditions

Section 62 of the *Environmental Protection Act 1986* (EP Act) provides the legal power to attach conditions to licences. Most licences are issued with conditions as per *Guidance Statement – Setting Conditions* (October 2015) to prevent, control, abate or mitigate pollution or environmental harm as a result of the emissions and/or discharges from the premises in question.

Table 1 summarises the changes from the expiring licence into the new licence including changes made to licence conditions where required and the rationale for changes made.

Table 1: Licence conditions changes, description and rationale

Current condition / table	New condition / table (if relevant)	Description and rationale
General conditions 1.2.1 -1.2.4	N/A	Removed as no longer relevant
	Table 1 – infrastructure table	Included infrastructure and operational requirements from decision report
1.3.1 – 1.3.2	2 – 3 Premises Operations	Updated condition to new format
2.1.1	N/A	Removed, covered by condition 19
Table 2.2.1	5 – Emission points to air	Direct replacement
Table 2.2.2	3 – Point source emission limits to air	Direct replacement
3.1.1 – 3.1.4	7 -10 general Monitoring	Direct replacement
3.2.1 – 3.2.3	11 Monitoring of point source emissions to air	Direct replacement
3.3.1	Monitoring of inputs and outputs	Direct replacement
Records -4.1.1 – 4.1.2	15 and 16	Direct replacement

Current condition / table	New condition / table (if relevant)	Description and rationale
4.1.2	17 – 20	Replaced with new template conditions
4.2.1	21	Direct replacement
4.2.2	22	Direct replacement
Table 4.3.1	N/A	Removed no longer relevant
Schedule 2	N/A	Removed no longer relevant

5. Consultation

The Delegated Officer undertook the consultation for the application to amend the licence as per Table 2.

Table 2: Consultation

Consultation method	Comments received	Delegated Officer's response
14/02/2023 - Draft sent to applicant	Email received 20/2/2023 citing no comments on the amendment of conditions and waiver of remainder of the comment period.	N/A