



Application for Licence Amendment

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

Licence Number	L8174/2007/5
Licence Holder	Alinta Cogeneration (Wagerup) Pty Ltd
ACN	111 280 614
File Number	2013/000664
Premises	Wagerup Cogeneration Plant Willowdale Road WAROONA WA 6215 Legal description – Lot 701 on Plan 59305
Date of report	27/07/2021
Status of report	Amended licence granted

1. Decision summary

Licence L8174/2007/5 is held by Alinta Cogeneration Wagerup Pty Ltd (licence holder) for the Wagerup Cogeneration Plant (the premises), located at Lot 701 Willowdale Road, Waroona.

This report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the premises. As a result of this assessment, revised licence L8174/2007/5 has been granted.

The revised licence also consolidates and supersedes the licence previously granted in relation to the premises. The revised licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

2. Scope of assessment

2.1 Regulatory framework

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 <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary

On 8 February 2021, the licence holder submitted an application to amend licence L8174/2007/5 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act), regarding the addition of category 73 for an existing diesel storage tank on-site.

2.3 Background

During a licence compliance inspection conducted by the department on 13 December 2019, it was identified the premises had the capability of storing greater than 1,000 m³ of organic liquid in a liquid fuel storage tank, which is above the prescribed threshold for category 73. Although the licence holder has not used this tank for fuel storage purposes for at least 10 years and had plans to decommission the tank, it has since elected to retain the tank on the premises and has applied to include it on the licence.

This amendment is limited only to the addition of category 73 on the existing licence. No changes to the aspects of the existing licence relating to category 52 have been requested by the licence holder.

Table 1 below outlines the proposed changes to the existing licence.

Table 1: Proposed changes

Category	Current design capacity	Proposed design capacity	Description of proposed amendment
73	N/A	1,800 m ³ in aggregate	1,800 m ³ in aggregate being stored on the premises, triggers the prescribed threshold for category 73 (more than 1,000 m ³ in aggregate)

3. Risk assessment

The delegated officer assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020a).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the

receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in this report are detailed in Table 2 below. Table 2 also details the proposed control measures the licence holder has proposed to assist in controlling these emissions, where necessary.

Table 2: Licence holder controls

Emission	Sources	Potential pathways	Proposed controls
Hydrocarbon spill	Leak from tank or fittings	Direct discharge to land	Concrete secondary containment approximately 2,780 m ³ (bund)

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020a), the delegated officer has excluded employees, visitors and contractors of the licence holder from its assessment. Protection of these parties often involves different exposure risks and prevention strategies and is provided for under other state legislation.

Table 3 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DWER 2020b)).

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Nearest residence	2.6 km south west
Environmental receptors	Distance from prescribed activity
<i>Threatened Ecological Community (Banksia woodlands surround the premises)</i>	Immediately adjacent
Threatened fauna South-western Brush-tailed Phascogate or Wambenger (<i>Phascogate tapoatafa sunsp. Wambenger</i>)	Observed in bush immediately adjacent to premises
Threatened fauna White tailed black cockatoo (<i>Calyptorhynchus sp. white tailed black cockatoo</i>). Forrest red-tailed black cockatoo (<i>Calyptorhynchus banksia</i>)	Observed in bush immediately adjacent to premises
Murray Groundwater Area Waroona, Perth-Superficial – Swan Aquifer Waroona, Perth – Upper Leederville Aquifer Waroona, Perth- Lower Leederville Aquifer Waroona, Perth – Cattamarra Coal Measures Aquifer	Depth to superficial aquifer typically less than 5 metres Multiple groundwater licences issued within 5 km of premises

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020a) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Where the licence holder has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the delegated officer considers the licence holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the licence holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The revised licence L8174/2007/5 that accompanies this report authorises emissions associated with the operation of the premises.

The conditions in the revised licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the premises operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of Licence	Reasoning
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Operation								
Bulk storage of diesel or fuel oil	Leaks and spills of hydrocarbons outside of bunded containment area	Direct discharge to land	Land and vegetation in vicinity of tank	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y	<u>Condition 1</u>	Tank is located in a concrete bund originally designed for two tanks and hence has ample capacity to contain spills. Bund needs to be maintained.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020a).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Decision

Category 73

The delegated officer has assessed the proposal for bulk liquid fuel storage on the premises using an existing fuel storage tank and considers there is a low risk of off-site impacts, providing the storage tank is located within the existing bunded containment area which is maintained as being fit-for-purpose.

Licence update

In amending the licence, the delegated officer has also:

- updated the format and appearance of the licence;
- revised condition numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The decision report for the original licence will remain on the DWER website for future reference and will act as a record of DWER's decision making.

5. Consultation

The licence holder was provided with drafts of the revised licence and this report on 26 June 2021. The licence holder advised that it had no comments.

6. Conclusion

Based on the assessment in this report, the delegated officer has determined that a revised licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

6.1 Summary of amendments

Table 5 provides a summary of the proposed amendments and will act as record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

Table 5: Summary of licence amendments

Condition no.	Proposed amendments
Cover page	Restructured to clearly indicate what prescribed activities have been risk assessed.
Licence history	Inserted, consistent with current DWER template.
Interpretation and note	Inserted, consistent with current DWER licence template.
Condition 1, Table 1	Inserted infrastructure table, consistent with current DWER licence template. Existing infrastructure listed with relevant design specifications, including existing gas turbines and additional diesel storage tank and containment bund.
Condition 3	Standard record-keeping requirements inserted, consistent with current DWER licence template.
Condition 5 – AACR	AACR condition updated consistent with current DWER licence template.
Definitions	Definitions added: 'books', 'condition', 'Department', 'discharge', 'emission', 'EP Act', 'licence', 'prescribed premises' – these terms have been added to the licence consistent with the current DWER licence template.
	Definitions modified: 'Annual Audit Compliance Report', 'premises' – the

	definition of these terms have been updated consistent with the current DWER licence template.
	Definitions replaced: 'Licensee' replaced with 'licence holder' – this change is consistent with the current DWER licence template.
Schedule 1: Maps	Premises map updated. Key infrastructure 'A1' & 'A2' and 'diesel storage tank' identified and labelled.

Chris Malley
A/Manager, Process Industries

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

References

1. Department of Water and Environmental Regulation (DWER) 2020a, *Guideline: Risk Assessments*, Perth, Western Australia.
2. DWER 2020b, *Guideline Decision Making*, Perth Western Australia
3. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY						
Application type						
Works approval	<input type="checkbox"/>					
Licence	<input type="checkbox"/>	Relevant works approval number:		None	<input type="checkbox"/>	
		Has the works approval been complied with?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Has time limited operations under the works approval demonstrated acceptable operations?			Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?			Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Date Report received:				
Renewal	<input type="checkbox"/>	Current licence number:				
Amendment to works approval	<input type="checkbox"/>	Current works approval number:				
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L8174/2007/5			
		Relevant works approval number:		N/A	<input checked="" type="checkbox"/>	
Registration	<input type="checkbox"/>	Current works approval number:		None	<input type="checkbox"/>	
Date application received		8/2/2021				
Applicant and Premises details						
Applicant name/s (full legal name/s)		Alinta Cogeneration (Wagerup) Pty Ltd				
Premises name		Alinta Energy Wagerup				
Premises location		Lot 701 on Deposited Plan 59305 Lot 702 on Deposited Plan 59305				
Local Government Authority		Shire of Waroona				
Application documents						
HPCM file reference number:		DWERDT410480				
Key application documents (additional to application form):		Email regarding secondary containment				
Scope of application/assessment						

Summary of proposed activities or changes to existing operations.	The Wagerup Cogeneration Plant is a gas-fired Category 52 Electric Power generation premises. The premises has a 1.75 million litre diesel tank on site, making it a prescribed premises category 73 which is not currently included as a licence category. Amendment is to include the additional licence category.
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Category number/s (activities that cause the premises to become prescribed premises)

Table 1: Prescribed premises categories

Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 52: Electric Power Generation	380 MW	NA
Category 73: Bulk Storage of Chemicals	1,750 kL	NA

Legislative context and other approvals

Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No: MS6729 EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	Approval: Expiry date: If N/A explain why? Existing infrastructure
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	CPS No: N/A No clearing is proposed.

Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Licence / permit not required.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Priority: P1 / P2 / P3 / N/A Are the proposed activities/landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Dangerous Goods Safety Act 2004</i>
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If Yes include details here. Classification: contaminated – remediation required (C-RR)