



## Department initiated Amendment

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

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<b>Licence Number</b>	L9102/2017/1
<b>Licence Holder</b>	Chevron Australia Pty Ltd
<b>ACN</b>	ACN 086 197 757
<b>File Number</b>	DER2017/001839
<b>Premises</b>	Gorgon LNG Project BARROW ISLAND, WA  Legal description –  Part of Crown Lease L077431 Certificate of Title Volume 3158 Folio 477, Part of CO2 Injection Wells Licence 00564-2009-A1744377, and Portion of Lot 3000 on Deposited Plan 91514, being the subject of Easement shown on Deposited Plan 70903  As defined by the coordinates and premises map in Schedule 1 of the Amended Licence
<b>Date of Report</b>	21 December 2020
<b>Proposed Decision</b>	Revised licence granted

## 1. Decision summary

The Delegated Officer has determined to make amendments to licence L9102/2017/1. This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

This amendment is made pursuant to section 59(1)(e), 59(1)(f) and 59(1)(j) of the EP Act, being an amendment to correct errors, update the licence format and to give effect to a decision of the Minister under the EP Act.

A copy of the Minister's Appeal Determination and Appeals Convenor's report can be obtained from the Appeals Convenor's website at [www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au).

## 2. Scope of assessment

### 2.1 Regulatory framework

In amending the licence, 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 Amendment summary

In October 2017, the Department of Water and Environmental Regulation (DWER) received a licence application from Chevron Australia Pty Ltd (Chevron, licence holder) for a licence to operate the Gorgon LNG Project (the premises) on Barrow Island. DWER granted licence L9102/2017/1 for the premises on 30 July 2018. The licence consolidated multiple instruments which had previously been issued for the premises and authorised the operation of a three train gas treatment plant (GTP) and supporting infrastructure including the power supply, a bridging wastewater treatment plant, liquid waste facility, diesel storage facility, waste concrete storage area and waste transfer station. The issued licence did not include infrastructure or conditions relating to the compression, transport or injection of reservoir carbon dioxide (CO<sub>2</sub>) as infrastructure for this activity was still undergoing construction and commissioning.

Third parties aggrieved by any condition of a licence are able to lodge an appeal direct to the Appeals Convenor within 21 days of the applicant being notified of the decision to grant a licence under section 102(3)(a) of the EP Act. An appeal was lodged in relation to L9102/2017/1 on 18 August 2018.

The appellant sought for sought for the licence conditions to regulate and limit greenhouse gas (GHG) emissions to air and land; apply limits to the injection and venting of all components of reservoir CO<sub>2</sub>, require continuous monitoring and limits for all air emissions and ambient air quality; provide for public transparency on emissions data; and a reduction of the 20-year licence duration to three years or include a formal review process.

In May 2019 the licence holder submitted an application to amend L9102/2017/1 to include the operation of the reservoir CO<sub>2</sub> injection infrastructure. On 30 July 2019 DWER amended L9102/2017/1 to include the operation of the CO<sub>2</sub> injection infrastructure resulting in amendments to conditions and schedules relating to discharges to air, discharges to land and emission limits.

Under section 102(3)(b) of the EP Act, third parties aggrieved by any matters consequential to an amendment are able to lodge an appeal direct to the Appeals Convenor within 21 days of the licence holder being notified of the decision to amend the licence. An appeal was lodged in relation to the amendment of L9102/2017/1 on 19 August 2019.

The appellant sought for the licence conditions to regulate and limit GHG emissions to air and

land; apply limits to the injection and venting of all components of reservoir CO<sub>2</sub>, require continuous monitoring and limits for all air emissions and ambient air quality; provide for public transparency on emissions data; and a reduction of the 20-year licence duration to three years or include a formal review process.

On 6 November 2020, the department was advised that the appeals lodged under sections 102(3)(a) and 102(3)(b) of the EP Act in objection to the conditions and amendment of licence L9102/2017/1 had been decided by the Minister for Environment. The Minister determined to allow the appeals in part and requested the department to amend L9102/2017/1 in relation to the licence duration and authorised discharges to land. In summary the Minister allowed the appeals to the extent that:

1. The licence duration be reduced by ten years (expiry amended to 29 July 2028).
2. Condition 7 (Table 4) of the licence be amended to specify that CO<sub>2</sub> and all incidental substances of the reservoir CO<sub>2</sub> injection stream (as described in the *Barrow Island Act 2003* approval) are authorised discharges to land through injection wells at drill centres A, B and C.

This amendment has been initiated by DWER to give effect to the Minister's appeal determination. In addition to amendments requested by the Minister, DWER has initiated administrative amendments to the licence to update the format and appearance of the licence and correct administrative errors which were identified. These amendments do not alter the obligations on the licence holder. There is no right of appeal to this amendment under section 105 of the EP Act.

### 3. Consultation

The licence holder was provided with the draft Amendment Report on 23 November 2020. Comments received from the licence holder on 15 December 2020 have been considered by the Delegated Officer. The licence holder advised that they had no objection to the amendments initiated by the department to give effect to the Minister's appeal determination. The licence holder advised the department's proposed correction of the monitoring location for H<sub>2</sub>S and BTEX for Drill Centre A to Drill Centre C Injection Wells was not required as sampling is able to occur from the specified location (Analyser Train 1 to 3) and is preferred. The licence holder requested inclusion of a footnote in Table 14 allowing for monitoring at Analyser Train 1 to Train 3 to occur at an alternate representative location if the sampling location was unavailable. The Delegated Officer determined not to include the requested change as to do so would negate the specification of a defined monitoring location and mean monitoring could potentially occur at an unsuitable location. In line with the department's regulatory framework a non-compliance with monitoring requirements would be considered in the context of the associated risk to public health and the environment.

### 4. Conclusion

The Delegated Officer has reviewed the Minister's Appeal Determination (and the Appeals Convenor's Report to the Minister) relating to the conditions and amendment of L9102/2017/1, and has made amendments to the licence to give effect to the Minister's decision to allow the appeal in part. Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended licence will be granted, with changes necessary to give effect to the Minister's appeal determination and administrative changes to the licence.

#### 4.1 Summary of amendments

Table 1 below provides a summary of the amendments incorporated into the amended licence and will act as a record of implemented changes.

**Table 1: Summary of licence amendments**

<b>Condition no.</b>	<b>Amendments</b>
Cover page	Updated to the current template. The assessed production/design capacities for the premises categories have been moved from Schedule 3 to the cover page.
Duration	The duration of the licence has been reduced from 20 years to 10 years with the expiry date amended to 29 July 2028.
Explanatory notes	Deleted. This guidance is available in the department's Guideline: Industry Regulation Guide to Licensing (June 2019)
History	Licence history has been included in the instrument
Interpretation	Updated to the current format
Condition 2 Table 3	Corrected an administrative error. Deleted duplicated reference to Vent 3B and Vent 3C and stack height of 12.5 m for Vent Group 3.
Condition 7 Table 4	Updated the authorised emissions which can be discharged to land via injection wells at Drill Centres A to C.
Schedule 2: Primary activities	The primary activities table (previous Table 12) has been removed from Schedule 3 with the premises activities/prescribed premises categories and assessed premises production/ design capacity included on the cover page of the amended licence. Table numbers of the remaining tables in Schedule 2 and 3 have been amended due to the removal of Table 12.
Schedule 1: Maps (Map of reservoir CO <sub>2</sub> discharge and monitoring points)	Map has been updated to remove Sample Point Train 1 to Sample Point Train 3 which are not referred to as monitoring locations in the licence.

**Caron Goodbourn**  
**Manager, Process Industries**

an officer delegated under section 20 of the *Environmental Protection Act 1986 (WA)*

## References

1. Department of Water and Environmental Regulation (DWER) 2018, Regulatory best practice principles, Perth, Western Australia
2. DWER 2019, Guideline: Industry Regulation Guide to Licensing, Perth, Western Australia
3. Hon Stephen Dawson Minister for Environment 2020, Minister's Appeal Determination, Appeals against conditions applied to and amendment of licence L9102/2017/1, Gorgon LNG Project, Barrow Island, Perth, WA.