Government of Western Australia
Department of Water and Environmental Regulation

Licence

Licence number	L8026/2004/6
Licence Holder	RATCH-Australia Kemerton Pty Ltd
ACN	106 619 112
Registered business address	Level 7, 111 Pacific Highway NORTH SYDNEY NSW 2060
DWER file number	2010/010534
Duration	01/11/2011 to 31/10/2028
Date of issue	01/11/2011
Date of amendment	1/10/2025
Premises details	Kemerton Power Station Treasure Road WELLESLEY WA 6233 Legal description - Lot 505 on Deposited Plan 39528 (as depicted in Schedule 1)

Prescribed premises category description (Schedule 1, *Environmental Protection Regulations 1987*)	**Assessed production / design capacity**
Category 52 : Electric power generation: premises (other than premises within category 53 or an emergency or standby power generating plant) on which electric power is generated using a fuel.	320 Mwe

This licence is granted to the licence holder, subject to the attached conditions, on 1 October 2025 by:

Melissa Chamberlain Digitally signed by Melissa Chamberlain
Date: 2025.10.01 14:08:10 +08'00'

Manager Process Industries
Statewide Delivery (Environmental Regulation)

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

Contents

Licence History

Date	Reference number	Summary of changes
01/11/2005	L8026/2004/2	Licence reissue.
01/11/2006	L8026/2004/3	Licence reissue.
01/11/2007	L8026/2004/4	Licence reissue.
01/11/2008	L8026/2004/5	Licence reissue. Licence duration extended from 1 to 3 years.
27/10/2011	L8026/2004/6	Licence reissue. Licence duration extended from 3 to 5 years.
22/8/2013	L8026/2004/6	Licence amended to REFIRE format
29/04/2016	L8026/2004/6	Notice of Amendment 1 - This notice was given in accordance with section 59B(9) of the *Environmental Protection Act 1986* to the new expiry date of the licence.
26/02/2018	L8026/2004/6	Amendment Notice 2 - Installation of four diesel generator sets for black out conditions.
16/05/2022	L8026/2004/6	Notice of Amendment 2 - Amendment to reporting conditions.
1/10/2025	L8026/2004/6	Licence amendment to incorporate existing infrastructure previously regulated under Part IV of the EP Act into the licence. Licence Consolidation The CEO has initiated an amendment to the type and style of licence and incorporated amendment notices into the licence. The obligations of the licence holder have not changed in making this administrative amendment. During the consolidation of amendment notices, DWER has not undertaken any additional risk assessment of the premises. In consolidating the licence, the CEO has, • Updated the format and appearance of the licence; • Deleted the redundant AACR form set out in Schedule 2 of the previous licence and advised the licence holder to obtain the form from the Department's website; • Revised the licence condition numbers, removed any redundant conditions and realigned condition numbers for numerical consistency; and • Corrected clerical mistakes and unintentional errors.

In this licence:

(a) the words ‘including’, ‘includes’ and ‘include’ in conditions mean “including but not limited to”, and similar, as appropriate;

(b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;

(c) where tables are used in a condition, each row in a table constitutes a separate condition;

(d) any reference to an Australian or other standard, guideline, or code of practice in this licence:

  (i) if dated, refers to that particular version; and

  (ii) if not dated, refers to the latest version and therefore may be subject to change over time;

(e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and

(f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This licence requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this licence.

Licence Conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 In the Licence, unless the contrary intention appears:

"the Act" means the Environmental Protection Act 1986;

"AHD" means the Australian height datum;

"annual period" means the inclusive period from 1 November until 31 October in the following year;

"AS 4323.1" means the Australian Standard AS4323.1 *Stationary Source Emissions Method 1: Selection of sampling positions;*

"AS/NZS 5667.1" means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples;*

"AS/NZS 5667.4" means the Australian Standard AS/NZS 5667.4 *Water Quality – Sampling – Guidance on sampling from lakes, natural and man-made;*

"AS/NZS 5667.6" means the Australian Standard AS/NZS 5667.6 *Water Quality – Sampling – Guidance on sampling of rivers and streams;*

"AS/NZS 5667.9" means the Australian Standard AS/NZS 5667.9 *Water Quality – Sampling – Guidance on sampling from marine waters;*

"AS/NZS 5667.11" means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters;*

"averaging period" means the time over which a limit or target is measured or a monitoring result is obtained;

"BTEX" means benzene, toluene, ethylbenzene and xylene;

"CEMS" means continuous emissions monitoring system;

"CEMS Code" means the current version of the Continuous Emission Monitoring System (CEMS) Code for Stationary Source Air Emissions, Department of Environment & Conservation, Government of Western Australia;

"CEO" means Chief Executive Officer of the Department of Water and Environmental Regulation;

"CEO" for the purposes of correspondence or notification means:
Chief Executive Officer

Department Administering the *Environmental Protection Act 1986*
Locked Bag 10
JOONDALUP DC WA 6919
Telephone: (08) 6367 7000
Facsimile: (08) 6367 7001
Email: info@dwer.wa.gov.au

"Code of Practice for the Storage and handling of dangerous goods" means the current version of the Storage and handling of dangerous goods, Code of Practice, Departmen of Mines and Petroleum, Government of Western Australia;

"dangerous goods" has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

"environmentally hazardous material" means material (either solid or liquid raw materials, materials in the process of manufacture, manufactured products, products used in the manufacturing process, by-products and waste) which if discharged into the environment from or within the premises may cause pollution or environmental harm. Note: Environmentally hazardous materials include dangerous goods where they are stored in quantities below placard quantities. The storage of dangerous goods above placard quantities is regulated by the Department of Mines and Petroleum;

"fugitive emissions" means all emissions not arising from point sources identified in Section 2.2;

"Licence" means this Licence numbered L8026/2004/6 and issued under the *Environmental Protection Act 1986;*

"Licence Holder" means the person or organisation named as Licence Holder on page 1 of the Licence;

"MWe" means power output (electricity generated) in megawatts;

"NATA" means the National Association of Testing Authorities, Australia;

"NATA accredited" means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

"normal operating conditions" means any operation of a particular process excluding start-up, shut-down and upset conditions, in relation to stack sampling or monitoring;

"NOx" means oxides of nitrogen;

"placard quantity" has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

"Premises" means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

"Schedule 1" means Schedule 1 of this Licence unless otherwise stated;

"Schedule 2" means Schedule 2 of this Licence unless otherwise stated;

"shut-down" means the period when plant or equipment is brought from normal operating conditions to inactivity;

"six monthly period" means the 2 inclusive periods from 1 November to 30 April and 1 May to 31 October in the following year;

"spot sample" means a discrete sample representative at the time and place at which the sample is taken;

"start-up" means the period when plant or equipment is brought from inactivity to normal operating conditions;

"STP dry" means standard temperature and pressure (0° Celsius and 101.325 kilopascals respectively), dry;

"USEPA" means United States (of America) Environmental Protection Agency;

"USEPA Method 2" means *Method 2—Determination of Stack Gas Velocity and Volumetric Flow Rate;*

"USEPA Method 4" means *Determination of Moisture Content in Stack Gases;*

"USEPA Method 10" means *Determination of Carbon Monoxide Emissions from Stationary Sources;*

"USEPA Method 20" means *Determination of Nitrogen Oxides, Sulfur Dioxide, and Diluent Emissions from Stationary Gas Turbines;*

"USEPA CTM-030" means *Conditional Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers and Process Heaters Using Portable Analyzers;*

"USEPA CTM-034" means *Conditional Test Method for Determination of Oxygen, Carbon Monoxide and Oxides of Nitrogen from Stationary Sources for Periodic Monitoring (Portable Electrochemical Analyzer Procedure);*

"usual working day" means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia; and

"µS/cm" means microsiemens per centimetre.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the current version of that standard.

1.1.4 Any reference to a Guideline or Code of Practice in the Licence means the current version of the Guideline or Code of Practice.

1.2 General conditions

1.2.1 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

(a) pollution;
(b) unreasonable emission;
(c) discharge of waste in circumstances likely to cause pollution; or
(d) being contrary to any written law.

1.3 Stormwater control

1.3.1 The Licence Holder must:

(a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and

(b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.[1]

Note1: The Environmental Protection (Unauthorised Discharges) Regulations 2004 make it an offence to discharge certain materials into the environment.

1.3.2 The Licence Holder must manage process water and potentially contaminated stormwater on the premises by:

(a) directing potentially contaminated water from plant washdown to a collection basin that includes an oily water separator; and

(b) removing the effluent from the oily water separator using an approved controlled waste carrier.

2 Emissions

2.1 General

2.1.1 The Licence Holder must record and investigate the exceedance of any descriptive or numerical limit, and/or target in this section.

2.2 Point source emissions to air

2.2.1 The Licence Holder must ensure that where waste is emitted to air from the emission points in Table 2.2.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this licence.

Table 2.2.1: Point source emission points to air

Emission point reference	Emission point reference on Map of emission points	Emission Point	Emission point height (m)	Source, including any abatement
A1	11UHN	Stack 1	35	Siemens V94.2 gas turbine generator, able to run on ultra low sulfur diesel, fitted with low NOx burners
A2	12UHN	Stack 2	35	Siemens V94.2 gas turbine generator, able to run on ultra low sulfur diesel, fitted with low NOx burners
A3 A4 A5 A6	NA	NA	NA	CAT 3516B Diesel Generator set (or equivalent) able to run on ultra-low sulphur diesel

2.2.2 The Licence Holder must ensure that the infrastructure and equipment specified in Column 1 of Table 2.2.2 is maintained in good working order and operated in accordance with the requirements specified in Column 2 of Table 2.2.2.

Table 2.2.2: Site infrastructure operational requirements

Column 1	Column 2
Site infrastructure and equipment	**Operational requirements**
1 x 2 ML diesel storage tank	Must have integral secondary containment that complies with the requirements of section 5.9 of AS 1940
	Must be fitted with leak monitoring, high level alarm and alarm shutdown system
	Must be inspected weekly for evidence of spills or leaks
Wet compression system	Reject water must be directed to evaporation ponds
Demineralised water plant	Must be regularly inspected for evidence of spills or leaks
Oily water separator	Must be fitted with high level alarm on separator and oil collection pit
	Must undergo six-monthly system maintenance
	Must be inspected weekly for evidence of overflow, or spills or leaks
2 x evaporation ponds with a combined capacity of 20.8 ML	Must be fitted with 1.5mm HDPE liner and have sufficient freeboard to prevent overtopping
4 x CAT 3516B Diesel Generator sets (or equivalent)	Only operated on ultra-low Sulphur diesel
	Only operated for the purpose of restarting the gas turbines on the premises or during monthly testing for a period not exceeding 90mins

2.3 Fugitive emissions

2.3.1 The Licence Holder must prevent visible dust from crossing the boundary of the premises.

2.4 Authorised atmospheric emissions limits

2.4.1 The Licence Holder must ensure that emissions from the discharge point listed in Table 2.4.1 for the corresponding parameter do not exceed the corresponding limit when monitored in accordance with condition 3.2.1.

Table 2.4.1: Authorised atmospheric emissions limits				
Emission source(s)	**Emission point reference**	**Fuel type**	**Parameter**	**Limit**
Siemens V94.2 gas turbine generator	A1, A2	Natural gas	Nitrogen oxides	<39.1 g/s 254 tpa
			Sulfur oxides	0.0 g/s negligible tpa
			Carbon monoxide	21.7 g/s 140.6 tpa
			Particulate matter	2.0 g/s 12.96 tpa

			Polycyclic aromatic hydrocarbons (PAHs)	0.00087 g/s 0.0056 tpa
			Non-methane volatile organic compounds (NMVOCs)	0.83 g/s 5.38 tpa
Siemens V94.2 gas turbine generator CAT 3516B Diesel Generator set (or equivalent)	A1, A2, A3, A4, A5, A6	Ultra-low sulphur diesel (Maximum sulphur content of 50ppm)	Nitrogen oxides	<14.2 g/s 41.1 tpa
			Sulfur oxides	0.406 g/s 0.146 tpa
			Carbon monoxide	20.9 g/s 15.08 tpa
			Particulate matter	7.62 g/s 5.48 tpa
			PAHs	0.016 g/s 0.0114 tpa
			NMVOCs	0.16 g/s 0.116 tpa

3 Monitoring

3.1 General monitoring

3.1.1 The Licence Holder must ensure that:

(a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;

(b) all surface water sampling is conducted in accordance with AS/NZS 5667.4, AS/NZS 5667.6 or AS/NZS 5667.9 as relevant;

(c) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and

(d) all samples are submitted to a laboratory with current NATA accreditation for the parameters to be measured.

3.1.2 The Licence Holder must ensure that six monthly monitoring is undertaken at least 5 months apart.

3.1.3 The Licence Holder must record production or throughput data and any other process parameters relevant to any non-continuous or CEMS monitoring undertaken.

3.1.4 The Licence Holder must ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications.

3.1.5 The Licence Holder must, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to air

3.2.1 The Licence Holder must undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of point source emissions to air					
Emission point reference	**Parameter**	**Units[1,3]**	**Frequency[2]**	**Fuel type**	**Method**
A1, A2, A3, A4, A5, A6	Nitrogen oxides	mg/m^3 g/s	Once every 4000 hours of operation	Natural gas	USEPA Method 20, USEPA CTM-030, or USEPA CTM-034
	Sulfur oxides				Stoichiometric calculation
	Carbon monoxide				USEPA Method 10, USEPA CTM-030, or USEPA CTM-034
	Nitrogen oxides	mg/m^3 g/s	At least once every five years; and Once per year whenever: (i) each turbine is operated for more than 48 consecutive hours; or (ii) each turbine is operated for more than 168 cumulative hours annually.	Ultra low sulfur diesel	USEPA Method 20, USEPA CTM-030, or USEPA CTM-034
	Sulfur oxides				Stoichiometric calculation
	Carbon monoxide				USEPA Method 10, USEPA CTM-030, or USEPA CTM-034

Note 1: All units are referenced to STP dry
Note 2: Monitoring shall be undertaken to reflect normal operating conditions and any limits or conditions on inputs or production.
Note 3: All units are referenced to 15% O_2

3.2.2 The Licence Holder must ensure that sampling required under Condition 3.2.1 of the Licence is undertaken at sampling locations in compliance with the AS 4323.1 or relevant part of the CEMS Code.

3.2.3 The Licence Holder must ensure that all non-continuous sampling and analysis undertaken pursuant to condition 3.2.1 is undertaken by a holder of NATA accreditation for the relevant methods of sampling and analysis.

3.3 Ambient environmental quality monitoring

3.3.1 The Licence Holder must undertake the monitoring specified in Tables 3.3.1 and 3.3.2.

Table 3.3.1: Monitoring of ambient surface water quality					
Monitoring point reference	**Monitoring point reference on Map of monitoring**	**Parameter**	**Units**	**Averaging period**	**Frequency**

	locations				
WQ1, WQ2	SW1, SW2	pH	-	Spot sample	Twice per year when flowing at dates at least 4 weeks apart
		Total dissolved solids	mg/L		
		Electrical conductivity	µS/cm		
		Total suspended solids	mg/L		
		BTEX	µg/L		
		Total petroleum hydrocarbons	mg/L		

Table 3.3.2 : Monitoring of ambient groundwater quality

Monitoring point reference	Monitoring point reference on Map of monitoring locations	Parameter	Units	Averaging period	Frequency
GQ1, GQ2	GW1S, GW2S	pH	-	Spot sample	Six monthly (in March and September)
		Total dissolved solids	mg/L		
		Electrical conductivity	µS/cm		
		BTEX	µg/L		
		Total petroleum hydrocarbons	mg/L		
		Standing Water Level[1]	mAHD		

Note 1: Standing Water level must be measured prior to undertaking any other sampling required by Condition 3.3.1.

4 Information

4.1 Records

4.1.1 All information and records required by the Licence must:

(a) be legible;

(b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;

(c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and

(d) for those following records, be retained until the expiry of the Licence and any subsequent licence:

(i) off-site environmental effects; or

(ii) matters which affect the condition of the land or waters.

4.1.2 The Licence Holder must ensure that:

(a) any person left in charge of the Premises is aware of the conditions of the

Licence and has access at all times to the Licence or copies thereof; and

(b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

4.1.3 The Licence Holder must complete an Annual Audit Compliance Report indicating the extent to which the Licence Holder has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

4.1.4 The Licence Holder must implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

4.2 Reporting

4.2.1 The Licence Holder must submit to the CEO at the Contact Address an Annual Environmental Report by 1 February after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report

Condition or table (if relevant)	Parameter	Format or form[1]
-	Summary of any failure or malfunction of any pollution control equipment or any incidents that have occurred during the annual period and any action taken	None specified
Table 3.2.1	Monitoring of nitrogen oxides, sulfur oxides, carbon monoxide	AR1
Table 3.3.1	Monitoring of ambient surface water quality for parameters including: pH, Total dissolved solids, Electrical conductivity, Total suspended solids, BTEX, Total petroleum hydrocarbons	WR1
Table 3.3.2	Monitoring of groundwater quality for parameters including: pH, Total dissolved solids, Electrical conductivity, BTEX, Total petroleum hydrocarbons, Standing water level	WR1
4.1.3	Compliance	AACR[2]
4.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2
Note 2: AACR form can be accessed on DWER's website

4.2.2 The Licence Holder must ensure that the Annual Environmental Report also contains:

(a) any relevant process, production or operational data recorded under Condition 3.1.3;

(b) an assessment of the information contained within the report against previous monitoring results and Licence limits and/or targets; and

(c) a list of any original monitoring reports submitted to the Licence Holder from third parties for the annual period and make these reports available on request.

4.3 Notification

4.3.1 The Licence Holder must ensure that the parameters listed in Table 4.3.1 are notified to the CEO at the Contact Address and in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements

Condition or table (if relevant)	Parameter	Notification requirement[1]	Format or form[2]
3.1.5	Calibration report	As soon as practicable.	None specified
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1
	Any failure or malfunction of any pollution control equipment or any incident which has caused, is causing or may cause pollution		

Note 1: Notification requirements in the licence shall not negate the requirement to comply with s72 of the Act
Note 2: Forms accessed at www.dwer.wa.gov.au

Schedule 1: Maps

Figure 1: Premises map

The Premises is shown in the map below. The red line depicts the Premises boundary.

Figure 2: Map of emission points

The locations of the emission points defined in Table 2.2.1 is shown below.

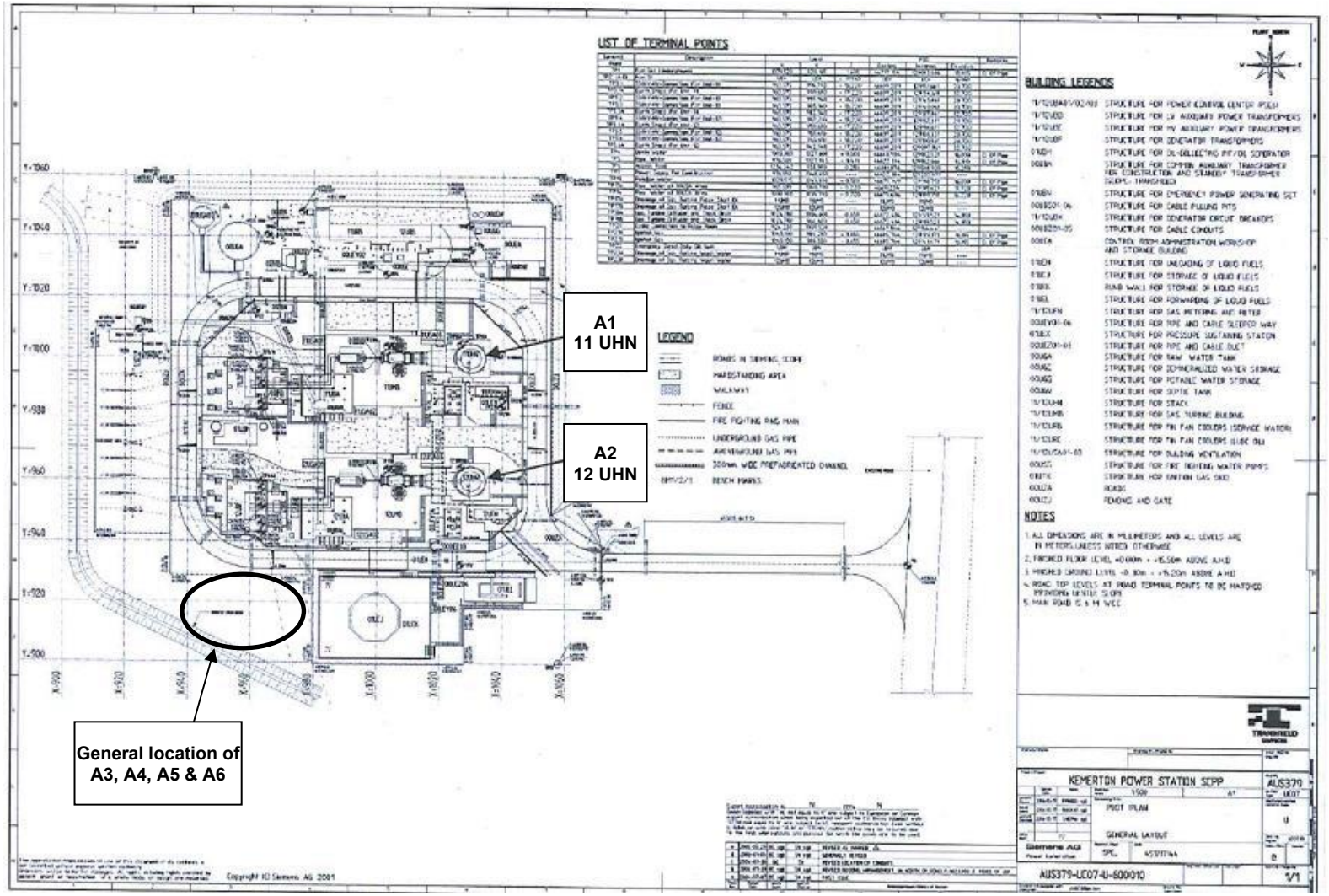

Figure 3: Map of monitoring locations

The locations of the monitoring points defined in Tables 3.3.1 and 3.3.2 are shown below.