



Works Approval Number	L5939/1988/11
Works Approval Holder	Tronox Management Pty Ltd
ACN	009 343 364
File Number:	DER2015/000624-1
Premises	Tronox Chandala Processing Plant Lot M1261 on Diagram 5329 Brand Highway MUCHEA WA 6501
Date of Amendment	17 September 2018

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act), as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Caron Goodbourn
A/Manager, Process Industries
Regulatory Services
an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA).

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report – available at: https://www.der.wa.gov.au/our-work/licences-and-works-approvals/publications#aacr
Amendment Notice	refers to this document
CEO	means Chief Executive Officer. 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@dwer.wa.gov.au
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.
DER	Department of Environment Regulation (former)
DWER	Department of Water and Environmental Regulation
EP Act	<i>Environmental Protection Act 1986 (WA)</i>

Amendment Notice

This amendment is made pursuant to section 59 of the 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 key documents and guidance statements which inform this assessment are outlined in Appendix 1.

Amendment description

This amendment Notice is the result of a DWER initiated amendment and relates to the extension of the existing licence expiry date for an additional 20 years from 4 October 2018 to 4 October 2038.

Additional amendments such as updating, including or deleting definitions, have been undertaken as described in the Amendment Section below.

Amendment history

Table 2 provides the amendment history for L5939/1988/11.

Table 2: Licence amendments

Instrument	Issued	Amendment
L5939/1988/11	27/06/2012	Transfer from Tiwest Pty Ltd to Tronox Management Pty Ltd
L5939/1988/11	17/09/2018	Amendment Notice 1- extend expiry date of licence and administrative amendments

Decision

Section 63 of the EP Act prescribes that a licence shall continue in force for such period as is specified in the licence. In making the decision to amend the licence, the Delegated Officer had regard to DWER's *Guidance Statement: Licence Duration* that provides for the granting of a licence for up to 20 years duration.

The current Licence is due to expire on 4 October 2018. The Delegated Officer has determined that the licence duration can be extended by 20 years in line with DWER's *Guidance Statement on Licence Duration*.

In determining to amend the duration of the licence, the following matters were considered by the Delegated Officer:

- The premises will be subject to ongoing periodic routine compliance inspections and investigations following incidents and complaints that may occur.
- No planning approval is needed as Tronox Management Pty Ltd operates under a state agreement.
- In the event that risk issues arise in relation to the premises, the CEO may, depending on the circumstances:
 - amend the conditions of the licence at any time;
 - in the event of an alleged offence, exercise enforcement powers under the EP Act, including an environmental protection notice; and

- revoke the licence in the event of non-compliance with conditions causing pollution or serious environmental harm.

Minor administrative amendments and the removal of redundant conditions have also been made to the Licence by this amendment.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice 1 on 11 September 2018. The Licence Holder waived the consultation period requesting Amendment Notice 1 be issued as soon as possible.

Amendment

1. The licence duration has been extended from 4 October 2018 to 4 October 2038.
2. The Preamble of the Licence is amended by the insertion of the definitions shown in red underlined text and the deletion of the definitions shown in strikethrough below:

Nominal rated throughput

The nominal rated throughput of the premises covered by this licence is as follows:

- *Total quantity of mineral processed: 775 000 tonnes per annum*
- *Total quantity of synthetic rutile produced: 250 000 tonnes per annum*

Any increase greater than 10 per cent above the nominal rated throughput shall not occur unless the Licensee has been granted prior approval in writing from the ~~Director~~ CEO.

Emergency, Accident or Malfunction

The Licensee should inform the ~~Director~~ CEO within 24 hours of identifying any unplanned emission which has occurred as a result of an emergency, accident, plant malfunction or extreme weather condition, otherwise than in accordance with any condition of this licence that has caused or is likely to cause pollution.

Alteration to Premises

Prior to making any significant alterations to the premises which may affect the air, water or noise emissions from the premises, the Licensee must submit a proposal to the ~~Director~~ CEO accompanied by supporting information and plans which allow the environmental impact of that change to be assessed.

General Requirements

The following statements reflect important sections of the Environmental Protection Act 1986 and are included for the information of the Licensee:

- *The Licensee should take all reasonable and practicable measures to prevent pollution of the environment.*
- *Noise emissions from operations on site are required to comply with the Environmental Protection (Noise) Regulations 1997.*
- *The Licensee should take all reasonable and practicable measures to prevent or minimise the discharge of waste and the emission of noise, odours or electromagnetic radiation from the premises.*

- The Licensee should inform the ~~Director~~ CEO at least 24 hours prior to the commencement of any planned non-standard operations, which may have the potential to cause pollution.
3. The Licence is amended by the insertion of the red underlined text and the deletion of the text shown in strikethrough below:

DEFINITIONS

"AACR" means Annual Audit Compliance Report – available at:
<https://www.der.wa.gov.au/our-work/licences-and-works-approvals/publications#aacr>

"advise" means advise in writing from time to time by the ~~Director~~ CEO;

"approved" or "approval" means approved or approval in writing from time to time by the ~~Director~~ CEO;

~~"Director" means Director, Environmental Regulation Division of the Department of Environment Regulation for and on behalf of the Chief Executive Officer as delegated under section 20 of the *Environmental Protection Act 1986*;~~

~~"Director" for the purpose of correspondence means-~~

~~Regional Leader, Industry Regulation, Swan Region
Department of Environment Regulation~~

~~Locked Bag 33~~

~~GLOISTERS SQUARE WA 6850~~

~~Telephone:~~

~~(08) 9333 7510~~

~~Facsimile:~~

~~(08) 9333 7550~~

CEO means Chief Executive Officer.

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@dwer.wa.gov.au

4. Condition G1 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:

ANNUAL AUDIT COMPLIANCE REPORT

G1 The Licensee shall by 15 April each year, provide to the ~~Director~~ CEO an Annual Audit Compliance Report in the form of Attachment 2 to this licence, signed and certified in the manner required by Section 6 F - Declaration 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 January 1 the previous year and ending on December 31.

5. Condition G3(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:

REPORTING REQUIREMENTS

G3(a) *The Licensee shall provide to the ~~Director~~ CEO a report containing monitoring data as required by any condition of this licence.*

6. Condition G3(b) 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(b) ~~The Licensee shall ensure the Annual Environmental Report required by condition G3(a) contains all the monitoring data and other collected data required by any condition of this licence. This report shall cover the previous 12 month period from January 1 to December 31. The report shall be forwarded to the ~~Director~~ CEO no later than 15 April each year.~~

7. Condition G4(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:

REPORTING OF EXCEEDED LICENCE LIMITS

G4(a) ~~The Licensee shall ensure that the ~~Director~~ CEO is notified of any measurement which indicates that any discharge limit specified in these conditions has been exceeded.~~

8. Condition G4(c) 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:

G4(c) ~~The Licensee shall forward notification, together with any other relevant supporting information to the ~~Director~~ CEO within 2 days of the Licensee becoming aware of the exceedence.~~

9. Condition A1(e) 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:

KILN EXHAUST GAS SCRUBBER - OPERATION REQUIREMENT

A1(e) ~~The Licensee is exempt from compliance with the condition A1(~~d~~ c) during calibration of the on-line particulate monitor, on the provision that such calibration does not occur for more than a two hour period.~~

10. Condition A6(b) (vii) 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:

STACK MONITORING

A6(b) ~~The Licensee shall ensure the results of each set of source tests include the following information:~~

- (i) ~~associated plant production rate, coal feed rate and sulphur feed rate relevant to the emissions at the time of the test,~~*
- (ii) ~~in stack moisture content,~~*
- (iii) ~~in stack volume flow rate,~~*
- (iv) ~~in stack temperature,~~*
- (v) ~~parameters monitored in the venturi scrubber system, scrubbing liquor flow rate, pressure drop across the scrubber system,~~*
- (vi) ~~pressure drop across the baghouse unit connected to stack (S2),~~*

(vii) sulphur dioxide, hydrogen sulphide and particulates concentrations, as defined in condition ~~A5(a)~~ A6(a), and any other information relevant to the test results.

11. Condition S1 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:

SOLID WASTE DISPOSAL CONDITION

S1 *The Licensee shall ensure that solid wastes generated in the mineral sands separation, synthetic rutile and iron oxide pugging processes are disposed of by burial at the Cooljarloo mine site operated by the Licensee located at M268SA unless specific approval for other arrangements have been obtained from the ~~Director~~ CEO. Waste shall only be transported in vehicles properly equipped for waste haulage.*

12. The licence is amended by the deletion of Attachment 2: ANNUAL AUDIT COMPLIANCE REPORT.

Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L5939/1988/11 – Tronox Chandala Processing Plant	L5939/1988/11	<p>accessed at www.dwer.wa.gov.au</p>
2	DER, August 2016. <i>Guidance Statement: Licence Duration.</i> Department of Environment Regulation, Perth	<i>Guidance Statement on Licence Duration.</i>	
3	DER, July 2015. <i>Guidance Statement: Regulatory Principles.</i> Department of Environment Regulation, Perth.	N/A	
4	DER, November 2016. <i>Guidance Statement: Risk Assessments.</i> Department of Environment Regulation, Perth.		
5	DER, August 2016. <i>Guidance Statement: Publication of Annual Audit Compliance Reports.</i> Department of Environment Regulation, Perth.		