



# Amendment Notice 1

**Licence Number** L8858/2014/1

**Licence Holder** FMG Solomon Pty Ltd

**ACN** 128 959 179

**File Number:** DER2014/001172-2

**Premises**  
Solomon Power Station  
Part of mining tenement M47/1431 within  
E 598,617, N 7,550,938;  
E 599,018, N 7,550,779;  
E 598,821, N 7,550,271;  
E 598,418, N 7,550,427.  
CHICHESTER WA 6751

**Date of Amendment** 13 May 2019

## 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.

## MANAGER, PROCESS INDUSTRIES

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
ACN	Australian Company Number
Amendment Notice	means an amendment granted under s.59 of the EP Act in accordance with the procedure set out in s.59B of the EP Act.
Condition	means a condition to which this Licence is subject under s.62 of the EP Act.
Licence	refers to this document, which evidences the grant of a Licence by the CEO under s.57 of the EP Act, subject to the Conditions.
Licence Holder	refers to the occupier of the premises being the person to whom this Licence has been granted, as specified at the front of this Licence.

## Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (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 guidance statements that have informed the decision made on this amendment are listed in Appendix 1.

## Amendment description

An Application (FMG 2019) was received from FMG Solomon Pty Ltd (the Licence Holder) to amend Existing Licence L8858/2014/1 to incorporate the following changes:

1. Amend the approved premises production/design capacity of the natural gas component from 122 MWe to 134.4 MWe; and
2. Amend the definition of annual period to 1 January to 31 December in each year and amend the due date of annual reports (Annual Environmental Report and Annual Audit Compliance Report) to fall due on 31 March in each year.

## Amendment history

Table 2 provides the amendment history for L8858/2014/1.

**Table 2: Licence amendments**

Instrument	Issued	Amendment
L8858/2014/1	8/10/2015	Amendment to change fuel sources for gas turbines on the Premises
	14/11/2017	Transfer to new Occupier FMG Solomon Pty Ltd
	13/05/2019	Amendment Notice 1 This amendment application to increase approved Premises design capacity and update annual reporting period / due date.

## Decision

The Delegated Officer notes that the design capacity of the Solomon Power Station as installed is 134.4 MWe power station, comprising:

- 4 x 13 MW Solar Titan turbines; and
- 2 x 41.2 MW General Electric (GE) turbines.

The Licence L8858/2014/1 was originally issued with an approved capacity of 122 MWe (using natural gas) and 94.2 MWe (using diesel fuel).

The increase in design capacity is an administrative change and the Licence Holder is proposing no works or other changes to increase the Premises design capacity to align with the as-constructed capacity of the power station. The Licence Holder is proposing to operate all turbines in future operations to achieve the maximum designed outputs of the power station.

The amendment to reporting periods and due dates is also administrative in nature and has been requested to in order to align with other Licences held by the Licence Holder.

The Delegated Officer notes Licence Holder controls for the operation of the Premises currently on the Existing Licence capture operational emissions relating to the increased throughputs at the Premises.

It should also be noted that the duration of the Licence was extended via a bulk amendment notice that was given effect on 29 April 2016. The amendment to extend the expiry date was processed when the Licence was held by another entity, and the Licence has since been transferred to the current occupier, FMG Solomon Pty Ltd. As the notification was addressed to the previous Licence Holder, and was not updated on the Licence at the time of transfer to the current Licence Holder, the licence expiry date has also been updated as part of this Amendment Notice. The expiry date of L8858/2014/1 is 29 March 2024.

## Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice 1 on 17 April 2019. Comments received from the Licence Holder have been considered by the Delegated Officer as shown in Appendix 2.

## Amendment

1. The Licence duration has been extended from *29 March 2020* to *29 March 2024*.
2. The approved premises production or design capacity is amended by the deletion of the text shown in strikethrough below and the insertion of the red text shown in underline below:

### Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved premises production or design capacity
52	Electric power generation: premises (other than premises within category 53 or an emergency or standby power generating plant) on which electrical power is generated using a fuel	≥ 20 MWe in aggregate (using natural gas) or  ≥ 10 MWe in aggregate (using a fuel other than natural gas)	422 <del>134.4</del> MWe (using natural gas)  94.2 MWe (using diesel fuel)

3. The definition specified in Condition 1.1.2 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 period’** means the inclusive period from ~~1 April until 31 March in the following year~~ 1 January to 31 December of the same year;

4. Condition 4.2.1 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:

- 4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report ~~within 90 calendar days after the end of the~~ by 31 March in each year for the previous annual period. The report shall contain the information listed in Table 5.2.1 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 <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 3.2.1	Air emission monitoring	None specified
Table 3.3.1	Load monitoring	None specified
4.1.3	Compliance	A copy of the AACR template is accessible via the Department’s website
4.1.4	Complaints summary	None specified

## Appendix 1: Key documents

	Document title	In text ref	Availability
1	Licence L8858/2014/1 – Solomon Power Station	L8858/2014/1	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>
2	Application for Amendment to Licence – L8858/2014/1 – Solomon Power Station. FMG Solomon Pty Ltd, 8 March 2019	Solomon 2019	DWER records (DWERDT141801)
3	DER, July 2015. <i>Guidance Statement: Regulatory Principles</i> . Department of Environment Regulation, Perth.	accessed at <a href="http://www.dwer.wa.gov.au">www.dwer.wa.gov.au</a>	
4	DER, October 2015. <i>Guidance Statement: Setting Conditions</i> . Department of Environment Regulation, Perth.		
5	DER, August 2016. <i>Guidance Statement: Licence Duration</i> . Department of Environment Regulation, Perth.		
6	DER, February 2017. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.		
7	DER, February 2017. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.		

## Appendix 2: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Notice 1 on 17 April 2019 for review and comment. The Licence Holder responded on 29 April 2019 waiving the remaining comment period (until 08 May 2019). No comments were submitted on the draft Amendment Notice.