



## CEO-initiated amendment to licence

### Division 3, Part V *Environmental Protection Act 1986*

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<b>Licence number</b>	L8712/2012/2
<b>Licence holder</b>	Orica Australia Pty Ltd
<b>DWER file number</b>	2012/007154
<b>Premises</b>	<p>Pilbara Ammonium Nitrate Emulsion Plant</p> <p>Part of Lot 63 on Deposited Plan 172079 within the area bounded by: 676322.694E, 7741059.921N; 676397.471E, 7741310.873N; 676267.162E, 7741344.509N and 676202.385E, 7741093.557N</p>
<b>Date of report</b>	2 April 2025
<b>Decision</b>	Revised Licence granted

#### MANAGER, PROCESS INDUSTRIES

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

## 1. Decision summary

The Delegated Officer has determined to make an amendment to licence L8712/2012/1. The amendment is administrative in nature therefore does not alter the risk profile of the premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

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

## 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 [DWER Regulatory documents](https://www.wa.gov.au/government/publications/dwer-regulatory-documents) | [Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au).

### 2.2 Amendment summary

Orica Australia Pty Ltd (licence holder) currently hold licence L8712/2012/1, issued under Part V Division 3 of the *Environmental Protection Act 1986*.

The licence holder operates an ammonium nitrate emulsion (ANE) plant near Port Hedland, Western Australia, capable of producing up to 150,000 tonnes of product per annum. The ANE end product is a gel used as a stable explosive precursor in the mining industry which is supplied via road transportation to sites across the Pilbara region and other Orica depots.

The existing licence is due to expire on 14 April 2025. The department considers that there is insufficient time to complete a licence renewal process therefore initiated an amendment to licence L8712/2012/2. The amendment is limited to extending the licence expiry date, updating reporting requirements to more accurately align with the *Notice of Amendment of Licence Reporting Requirements 2022*, updating of required definitions and removing redundant information and conditions from the licence. No reassessment of risk has been undertaken at this time. The department intends to defer the review and renewal of the premises licence for a period of ten years by amending the licence expiry date to 14 April 2035.

## 3. Consultation

The draft licence and this report were provided to the licence holder on 7/3/2025. No comments were received.

## 4. Decision

Section 63 of the EP Act prescribes that a licence shall continue in force for such period as is specified in the licence. Licence L8712/2012/1 is due to expire on 14 April 2025. The delegated officer considers it appropriate to extend the licence duration by ten years.

In determining to extend the duration of the licence by ten years, the following matters were considered by the delegated officer:

- the risk profile of the premises was last considered for the 2013 amendment of the licence and is considered to be low given the separation distance to receptors and the nature and frequency of emissions from the premises;
- there have been no incidents, enforcements or complaints identified at the Premises by the department in the last five years;

LXXXX/XXXX/X (date of licence issue / latest update)

- an extension to the duration of the licence will not change the current risk profile of the premises, and the risks posed by ongoing emissions from the premises will continue to be subject to the existing licence conditions;
- the licence holder has continued access to the premises for the duration of the extension;
- *Guidance Statement: Licence duration* (2016) provides for licences to be issued for a term of up to 20 years; and
- in the event that risk issues arise in relation to the premises, the CEO may:
  - amend the licence conditions at any point; and
  - in the event of an alleged offence, exercise enforcement powers under the provisions of the EP Act.

## 5. Conclusion

### 5.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised licence as part of the amendment process.

**Table 1: Summary of licence amendments**

Condition / table	Description
Front page	Updated to be consistent with current DWER licence template.
Introduction/Explanatory notes/premises description	Removed, this guidance is available in the department's <i>Guideline: Industry Regulation Guide to Licensing</i> (June 2019) and does not form part of the licence conditions.
Interpretation (1.1.1, 1.1.2, 1.1.3, 1.1.4 and 1.1.5)	Interpretation updated to current format and conditions which previously formed the interpretation (as noted) have been removed. Section heading updated to 'Definitions' as section is now only relevant to definitions.
Definitions	Definitions for AACR/Approved form, biennially, books, CEO, Department, discharge, emission, EP Act, EP Regulations and Licence, licence holder, premises and prescribed premises updated to current format and definition for department; DWER added. Licensee has been changed to licence holder throughout the licence to align with current terminology.
General Conditions 1.2.2	Condition has been removed to be consistent with current DWER licence template.
Table 1 and Form GR1: Monitoring of groundwater quality	Included Footnote Note 1: In-field non-NATA accredited analysis permitted.
Information: Records: 3.1.1 – 3.1.4 and Reporting: 3.2.1	Replaced with current DWER licence template requirements for records.
Table 2	Updated parameters to reflect new licence condition numbers.
Schedule 1	Updated Premises map.
Schedule 2 (AACR proforma)	Removed as the attached AACR template has been superseded.

