



Our reference: EF13/3798, DOC14/318316-01
Contact: Laura Ansted (02) 9995 6812

Department of Planning and Environment
Industry Assessments
Attention: Ms Pamela Morales
GPO Box 39
SYDNEY NSW 2001

Dear Ms Morales

**VISY INDUSTRIES PROPOSED BOILER REINSTATEMENT
SECTION 74W MODIFICATION (DA 13/94 MOD 7)**

I refer to your email of 16 December 2014 seeking comment from the NSW Environment Protection Authority (EPA) for the proposal by Visy Industries Australia Pty Ltd to modify their existing development consent to enable reinstatement of natural gas boilers on the Smithfield site.

I also refer to the Environmental Assessment titled: '*Smithfield Package Boiler Reinstatement Project, Environmental Assessment 13 November 2014, DA13/94*' (the EA) and the five attachments to this document provided:

- Attachment 1: Project Approval 13/94
- Attachment 2: Visy Smithfield Environmental Protection Licence
- Attachment 3: Marubeni Environmental Protection Licence
- Attachment 4: Air Impact Assessment
- Attachment 5: Noise Impact Assessment, prepared by Benbow Environmental.

The EPA has reviewed the above documentation and provided comments at *Attachment A*. The EPA recommends that any issues discussed are addressed prior to any project approval being provided and that any recommended conditions of Project Approval are incorporated to any approval, if given.

In the event that the project is approved by the Department of Planning and Environment, the proponent will need to make a separate application to the EPA to vary EPL number 4100 prior to any works commencing, so that the licence incorporates any relevant conditions of the planning approval including any modifications to the EPA's load-based licensing for the site.

I note that the Environmental Protection Licence provided with the documentation at Attachment 2 is not current. A copy of the current licence is provided at *Attachment B* for your reference.

Should you have any queries regarding this letter, please contact Laura Ansted on (02) 9995 6812.

Yours sincerely



4/2/15

DAVID GATHERCOLE
Unit Head - Sydney Industry
Environment Protection Authority

Attachment A – EPA's comments on the proposal

Air Quality

The EPA has reviewed Attachment 4 (Air Quality Impact Assessment) and has found that the assessment has been conducted generally in accordance with the *Approved Methods for Modelling and Assessment of Air Pollutants in NSW*.

The EPA notes that the NO₂ emission rates used in the air dispersion modelling for the proposed boilers and the existing Marubeni plant appear to be overestimated for the following reasons:

- The assessment conservatively assumes that there is 100% conversion of NO_x to NO₂.
- The 1-hour average and annual average results of the air dispersion modelling indicate the cumulative impacts for all three scenarios are well below the NO₂ ground level criterion of 246 µg/m³.

Based on monitoring data from the Office of Environment and Heritage Prospect station, the 1-hour average and annual average background concentration was taken to be 94 µg/m³ and 18.8 µg/m³, respectively.

However, the NO₂ concentration at the boiler discharge point is below the Protection of the Environment Operations (Clear Air) Regulation 2010 standard of concentration limit of 350 mg/m³.

Further clarification on the meteorological data input and estimation of NO₂ emission rates used in the air dispersion modelling will provide more realistic estimates of air quality impacts.

Nonetheless, the EPA considers the assessment conservative and that the revised assessment will not increase the modelled pollutant levels. Therefore the EPA has assessed the modelling as submitted and considers that the emissions proposed and modelled can be appropriately managed through Environment Protection Licence No 4100 and any necessary licence variations including the EPA's Load Based Licensing scheme.

To ensure a clear and transparent assessment process and that any subsequent regulatory actions and licensing is based on sound calculations and accurate modelling; the EPA recommends the following condition of approval:

EPA recommended conditions of approval:

- Prior to commencement of the proposed works, the *Air Quality Impact Assessment – Report for Reinstatement Project, Herbert Place, Smithfield* (Benbow Environmental, October 2014) must be revised in the following manner:
 - Bureau of Meteorology automatic weather station data must be modified and the Sydney Olympic Park (Archery) data used for wind roses and wind trend analysis instead of the Horsley Park meteorological data.
 - Supplier guarantees for NO_x emissions from the proposed 20 MW boilers and monitoring data must be cross checked against the modelled emission rate to verify the correct data has been presented and modelled in the assessment.
 - Modelling input files must be included in the report.

Noise Impacts

The EPA has reviewed Attachment 5 (Noise Impact Assessment ("NIA")) and has found that the proposed development generally complies with the NSW Industrial Noise Policy (INP), and that noise from the proposed development can be managed through Environment Protection Licence No 4100 and any necessary licence variations.

However, the EPA considers that the development modification triggers Chapter 10 of the INP. This is in consideration of the paper mill's history of noise complaints, non-compliances with current noise limits and audible noise emissions at the nearest sensitive receivers on Cooper Crescent and Solo Crescent, to the south of the premises.

The NIA does not include a full assessment of wind conditions to identify winds that are a feature of the area, i.e. that source to receiver wind speeds (at 10 m height) of 3m/s or below occur for 30 per cent of the time or more for any assessment period (day, evening and night) in any season. This information must be provided as per Section 5.3 of the INP. Noise emissions under any identified prevailing wind conditions should then be assessed against the relevant criteria.

The noise assessment assesses noise impacts from the proposed development only and does not consider the whole of site noise emissions. The current noise limits applying to the site through Environment Protection Licence No 4100 are not in line with current EPA standards.

To ensure a clear and transparent assessment process and to ensure that any subsequent regulatory actions and licensing is based on sound calculations and accurate modelling; the EPA recommends the following conditions of approval:

EPA recommended conditions of approval:

- The site covered by Environment Protection Licence number 4100 must be reassessed as per Part 10.1.1 (Points 1-5), Chapter 10 of the NSW Industrial Noise Policy (Environment Protection Authority, 2000).
- The proceeding condition must be completed within four (4) months, following completion of the proposed development works.
- Prior to commencement of the proposed works, *the Noise Impact Assessment Report, Build Run Repair Pty Ltd – Visy Paper, Herbert St, Smithfield NSW* (Benbow Environmental, October 2014) must be revised in the following manner:
 - a full assessment of wind conditions to identify winds that are a feature of the area is included as per Section 5.3 of the INP. (i.e. that source to receiver wind speeds (at 10 m height) of 3m/s or below occur for 30 per cent of the time or more for any assessment period (day, evening and night) in any season.)