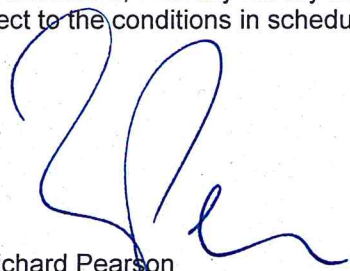


Notice of Modification

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning and Infrastructure, I hereby modify the development consent DA 401-11-2002-i referred to in schedule 1, subject to the conditions in schedule 2.



Richard Pearson
Deputy Director-General
Development Assessment & Systems Performance

Sydney

16 April

2012

SCHEDULE 1

Development Consent (DA 401-11-2002-i), granted by the former Minister for Planning on 12 May 2003 for the upgrade of Kiln 6 and associated works at the existing cement works at Taylor Avenue, New Berrima in the Wingecarribee local government area.

SCHEDULE 2

1) Inserting the following after Condition 1.2 m) in Schedule 2:

- n) MOD 7 for the trial and potential full-scale use of Granulated Blast Furnace Slag as an additive raw material in kiln 6 and accompanying documents:
 - i. the Environmental Assessment entitled '*Berrima Cement Works Planning Consent Modification 7 - Environmental Assessment - Use of Granulated Blast Furnace Slag in K6 at Berrima*', dated 17 October 2011 and prepared by Boral Cement Limited; and
 - ii. the Response to Submissions report entitled '*Berrima Cement Works - Kiln 6 Development Consent Modification 7*', dated 7 December 2011 and prepared by Boral Cement Limited.
- o) the conditions of this consent.

In the event of an inconsistency between a condition of this consent and the documents listed under a) to n) above, the conditions of consent shall prevail to the extent of the inconsistency.

2) Replacing Condition 3.17A in Schedule 2 with the following:

- 3.17A Condition 3.17 of this consent only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require a licence under the *Protection of the Environment Operations Act 1997* (POEO Act), and does not include:
- a) any Non-Standard Fuels approved for use at the upgraded Kiln 6 under this consent;
 - b) any material normally brought to the site for the purpose of cement clinker production (as detailed in the documents listed under condition 1.2 of this consent);
 - c) any material normally recycled or reused within the cement works; and
 - d) any material that is subject to a specific waste recovery exemption (RRE) issued by the EPA to exempt that material from the specific clauses of the *Protection of the Environment (Waste) Regulation 2005*.

- 3) Inserting new Conditions 3.17AB, 3.17AC, 3.17AD and 3.17AE following Condition 3.17A in Schedule 2 as follows:

Alternative Raw Material Trial - Granulated Blast Furnace Slag (GBFS)

- 3.17AB Prior to the receipt of GBFS on-site, the Applicant must obtain a specific waste Resource Recovery Exemption (RRE) for GBFS from the EPA.

GBFS Trial Requirements

- 3.17AC Provided that the specific waste RRE is obtained for GBFS, the Applicant shall trial the use of up to 3,000 tonnes of GBFS as an alternate raw material in Kiln 6. The Applicant shall:
- (a) undertake the trial over a continuous 3 day period, unless otherwise agreed in writing by the Director-General;
 - (b) conduct stack testing of all relevant air emissions and trace elements, to the satisfaction of the EPA; and
 - (c) use quality controlled GBFS only.

GBFS Trial Verification Report

- 3.17AD Within 1 month of the completion of the GBFS trial, the Applicant shall prepare and submit a Verification Report to the Department to the satisfaction of the Director-General and the EPA. The Verification Report shall include:
- (a) stack emissions monitoring data measured for the duration of the trial;
 - (b) copies of all analytical test reports for all substances sampled and tested;
 - (c) a comparison of monitoring results from the trial with the relevant EPA standards and requirements, as determined by the EPA.
- 3.17AE Provided the results of stack testing for the GBFS trial confirm that the air pollutants emitted from the cement Kiln 6 meet the relevant EPA standards and requirements, the Applicant may commence full-scale usage of GBFS as a raw material additive in Kiln 6 at a maximum usage rate that is determined in writing by the Director-General in consultation with the EPA.

Note: the Applicant must not commence full-scale usage of GBFS as a raw material additive in Kiln 6 until it has received written approval from the Director-General. In addition, the maximum usage rate per annum of GBFS in cement Kiln 6 must not exceed 150,000 tonnes per annum.

- 4) Replacing Condition 4.3 in Schedule 2 with the following:

- 4.3 ⁸During operation of the cement works upgrade, the Applicant shall determine the pollutant concentrations and discharge parameters specified in Table 8 below, at the discharge point indicated and employing the sampling and analysis method specified. All pollutant concentrations and discharge parameters for the discharge point shall be determined concurrently at the frequency indicated in the table.

Table 8 - Discharge Point Pollutant and Parameter Monitoring (Water)

Discharge Point	Pollutant / Parameter	Units of Measure	Frequency	Sampling Method ^a
Point 1 – Overflow point as shown on the document identified in condition 1.2 h)	Biological Oxygen Demand (BOD)	mgL ⁻¹	Each overflow event	Grab Sample
	Oil and Grease	mgL ⁻¹	Each overflow event	Grab Sample
	Total suspended solids	mgL ⁻¹	Each overflow event	Grab Sample
	pH		Each overflow event	Grab Sample
	Chemical Oxygen Demand (COD)	mgL ⁻¹	Each overflow event	Grab Sample
	Total Phosphorus	mgL ⁻¹	Each overflow event	Grab Sample
	Metals (Aluminium, Barium, Calcium, Copper, Lead, Magnesium, Manganese, Nickel, Potassium, Sodium, Total Iron, Zinc)	mgL ⁻¹	Each overflow event	Grab Sample

	Boron	mgL ⁻¹	Each overflow event	Grab Sample
	Chloride	mgL ⁻¹	Each overflow event	Grab Sample
	Cyanide	mgL ⁻¹	Each overflow event	Grab Sample
	Fluoride	mgL ⁻¹	Each overflow event	Grab Sample
	Sulfate	mgL ⁻¹	Each overflow event	Grab Sample

a. the Sampling Method shall be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales*.

5) Inserting a new Condition 4.3A in Schedule 2 as follows:

- 4.3A The Applicant shall ensure that all surface water discharges from the site comply with the:
- discharge limits (both volume and quality) set for the development in any EPL; or
 - relevant provisions of the POEO Act.