

ASSESSMENT REPORT

Section 75W Modification

ABC Paper Mill – Varying Nitrogen Oxide Limits (DA 7/98 Mod 7)

1. BACKGROUND

On 28 August 1998, the then Minister for Urban Affairs and Planning granted consent for a proposal by ABC Paper and Paper Mill Pty Ltd (ABC Paper) for the construction and operation of a tissue processing plant on Redfern Street, Wetherill Park, in the Fairfield local government area (see Figure 1 below).

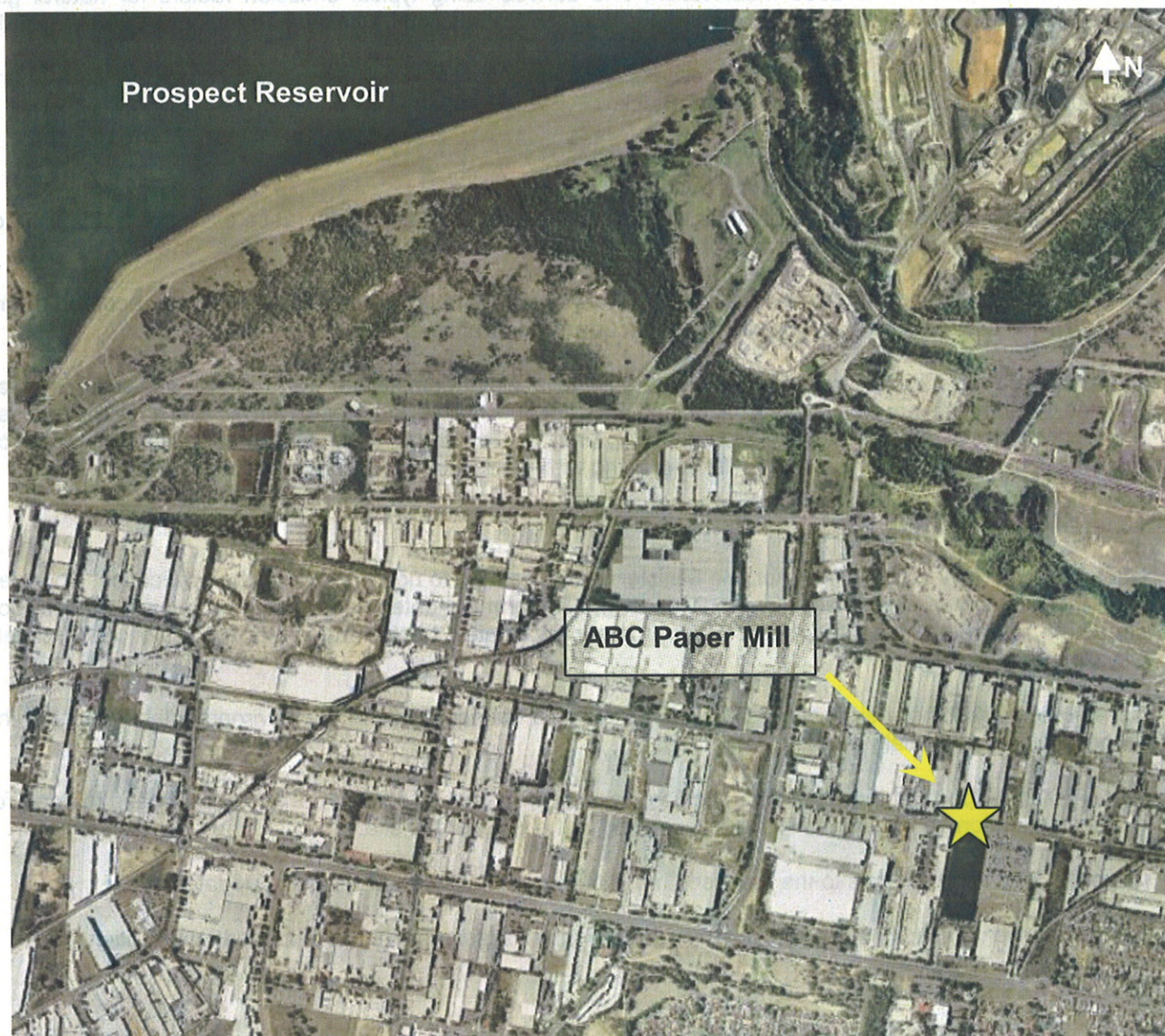


Figure 1: Site Location

The approved development included the construction and installation of a tissue mill and associated stock preparation equipment, installation of a gas fired boiler, wastewater treatment facilities and other ancillary

facilities, such as offices and provision for 144 car parking spaces. The approval allows the production of up to 30,000 tonnes per annum (tpa) of tissue reel from virgin pulp, with production operations undertaken 24 hours per day, 7 days per week.

Since the original consent was granted by the Minister in 1998, the Department has approved a number of modifications to the consent, including:

- March 2000, to expand the warehouse and offices, provide an additional 138 parking spaces, and install additional machinery;
- October 2000, to correct a minor error in the design of the stormwater management system;
- November 2003, to make structural changes to the Bale Handling and Storage Building and relocate the car park;
- August 2004, to make minor modifications to the height and floor levels of the approved tissue machine building;
- April 2005, to fix an error in a reference number provided on previously modified plans; and
- October 2008, to reflect changes to the site layout of the mill.

Recently, ABC Paper has reported exceedances of the Nitrogen Oxide (NO_x) criterion, as listed in both the Environmental Protection License (EPL) and development consent for the mill, at the Hood Burner Stack.

The existing limit of 30mg/m³ NO_x for this stack was determined by a previous air quality impact assessment, undertaken as part of the 2008 modification, and derived using typical emission factors for natural gas burners, sourced from the National Pollutant Inventory (NPI) Emission Estimation Technique Manual (EETM).

However, review of this air quality impact assessment report indicates that a realistic and achievable NO_x limit was not recommended for the Hood Burner Stack.

2. PROPOSED MODIFICATION

ABC Paper is now seeking to modify their existing development consent to increase the current NO_x limit for the Hood Burner Stack from 30mg/m³ to 290mg/m³.

The new limit of 290mg/m³ has been calculated by adding 26% to the current NO_x emissions recorded at this stack. This is because the Hood Burner Stack is currently operating at 26% below capacity.

The proposed modification would allow ABC Paper to achieve compliance with the NO_x emission limit, as outlined in both the development consent and EPL for the mill at the Hood Burner Stack. The proposed modification would also allow ABC Paper a NO_x limit for this stack which is representative of the Hood Burner's operations and emissions, whilst complying with the relevant statutory provisions.

4. CONSULTATION

Under Section 75W of the EP&A Act, the Minister is not required to notify or exhibit the application. However, following a review of the modification application, the Department determined that the proposed modification should be referred to the Department of Environment, Climate Change and Water (DECCW) and Fairfield City Council (Council).

Consultation with other neighboring sites was considered unnecessary, as the environmental impacts of the proposal would essentially remain unchanged.

The DECCW supported the proposed modification, however advised that ABC Paper would need to apply for a license variation, to amend the NO_x limit specified in the EPL for the site.

Council raised no objections to the proposed modification, subject to the EPL being updated.

The Department has considered these submissions in the assessment of the proposed modification.

5. ASSESSMENT

The Department has reviewed the proposed modification and considers that it would not result in an increase in environmental impacts associated with operations at the facility.

The DECCW concurs that the current NO_x limit for the Hood Burner Stack is unrealistic and unachievable for the mill and supports increasing the NO_x limit for this stack to 290mg/m³. The DECCW also supports the need to amend the EPL for the site to demonstrate consistency with the consent.

In addition, the proposed limit is within the existing *Protection of the Environment Operations (Clean Air) Regulation 2010* NO_x limit of 350mg/m³ for any boiler operating on gas.

The Department considers that there are potential benefits associated with the proposal such as the provision of a development consent where compliance is achievable and consistent with the EPL for the site.

6. CONCLUSION

The proposed modification is considered to primarily be an administrative change and the Department considers that it is unlikely to result in any increase to the environmental impacts associated with the development. Consequently, the Department believes the proposed modification should be approved.

7. RECOMMENDATION

Under delegation of the Minister, it is RECOMMENDED that the Acting Executive Director, Major Projects Assessment:

- consider the findings and recommendations of this report;
- approve the proposed modification under Section 75W of the EP&A Act;
- sign the attached instrument **Tagged A**.

Andrew Hartcher
Major Projects Assessment


Chris Ritchie
Manager - Industry
Mining & Industry Projects
28/10/10


Michael Woodland
A/Executive Director
Major Projects Assessment
29/10/2010

NOTE: I have noted
original EIS &
Assessment
