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Re: Weston Aluminium Pty Limited – DA 86-04-01 MOD 12

Dear Karen,

I refer to our recent correspondence and advice of 26 and 28 February 2019 with regard to our proposed Development Consent Modification application for the proposed thermal processing of pharmaceutical and illicit drug wastes in our rotary furnaces, and a subsequent email via Emma Barnett of DPE (28 March 2019) outlining the EPA's recommended conditions of Approval.

Weston Aluminium applied for Development Consent Modification for this Project initiative almost two years ago (July 2017), and a subsequent EPL Variation request in November 2017 – each of which were supported by the successful findings of a 24-month regulated processing Trial and an independent Environmental Assessment prepared by AECOM (June, 2017), demonstrating that existing plant infrastructure, protocols and pollution control systems were effective. The ensuing process of clarification-seeking, WA-engagement of further consultancy support, repetition of information provision, and the lack of opportunity for effective face-to-face discussions with Regulators has been grossly inefficient. Furthermore, we feel that the straightforward nature of this Project has been impacted by the apparent confusion by some between this Project proposal and that of the recently-Approved State Significant Development – i.e. the proposed thermal processing of Medical and Other Wastes (including similar pharmaceutical and illicit drug waste inputs) in a separate, independent thermal processing operation.

This Project offers industry viability and vastly improved environmental sustainability when compared with conventional practices in NSW. However, had we known in advance of the likely delays, financial outlay (now in excess of \$200,000), and changing regulatory expectations, Weston Aluminium would not have pursued this opportunity.

For final clarity, Weston Aluminium offers the following:

1. Operating Condition

Weston Aluminium again confirms that liquid pharmaceutical wastes were processed throughout the Trial and coinciding with air emissions monitoring events. Following established hazard-management practices, liquid-based inputs were charged to a furnace toward the end of a charge once molten aluminium had been tapped and residual ash rolled-out of the furnace. In each case, the furnace was at elevated temperature. Liquid wastes were certainly not charged during start-up events nor to a 'cold' furnace. Concerns relating to potential dioxins and furans formation are therefore allayed.

Again, existing regulatory concentration limits were satisfied during all air emission monitoring events, including that imposed for dioxins and furans.

2. Concentration limits

Weston Aluminium strongly rejects the EPA's assertion that the existing limits imposed for Stack 1 (Discharge Point 1) *'do not reflect the plant operating in a proper and efficient manner'*. Irrespective, we again confirm that the lower limits proposed by the EPA for HCl, heavy metals and oxides of nitrogen are achievable for this Discharge Point, and will accept such an adjustment, should Consent Modification approval be granted.

If EPA insist that the lower limits proposed technically represent a *'plant operating in a proper and efficient manner'*, we challenge the EPA to similarly reduce regulatory limits for Discharge Point 3 of EPL 3245 (Daniel's Health, Silverwater facility). Furthermore, a 100 percentile concentration for CO should also be enforced upon this Licencee.

3. Monitoring and Recording Conditions

The following comments are made:

- Compliance with the CO concentration limit has been historically maintained by Weston Aluminium (and similarly throughout the Trial program), confirming combustion performance, and continuous monitoring of CO is therefore considered to be unwarranted. Furthermore, this proposed requirement is grossly inequitable with other facilities processing similar calorific inputs, and who are not required to perform continuous monitoring, nor even have the imposition of a CO limit (EPL 3245).

Weston Aluminium's interim approval by the EPA (July 2018) for the processing of Illicit Drug Wastes confirms that the typical processing quantities (up to 100 kg per Batch) and associated emissions performance are acceptable to the EPA. Using the same logic, Weston Aluminium would be satisfied with limiting input quantities of illicit drug and pharmaceutical wastes to this limit (up to 100 kg per Batch);

- Weston Aluminium have historically performed Oxygen monitoring in accordance with NSW EPA TM-25 (despite not having been required), and will continue to do so; and
- Should Consent Modification approval be granted, Weston Aluminium will provide details of existing in-line HF monitoring instrumentation for the formalization of method adoption.

Weston Aluminium therefore seeks concurrence on the following conditions:

- The quantity of illicit drugs and pharmaceutical wastes being processed should not exceed 100 kg (or 2.5% by mass of the total wastes being processed) per Batch;
- Air emission concentration limits associated with Stack 1 (Discharge Point 1) to be decreased as follows:
 - HCl – reduced from 400 mg/m³ to 50 mg/m³;
 - Heavy Metals: reduced from 10 mg/m³ to 1 mg/m³; and
 - Oxides of Nitrogen: reduced from 2500 mg/m³ to 200 mg/m³; and
- Requirement for annual monitoring of Oxygen to be formalized. Details of existing in-line instrumentation for HF monitoring to be provided following approval. Other monitoring requirements for Discharge Point 1 to remain unchanged.

Should this position be unacceptable to the EPA, Weston Aluminium elects to withdraw the Project, and will inform industry sectors and the NSW Police accordingly.

Yours sincerely,

Weston Aluminium Pty Ltd



Christopher McClung
Plant Services Manager