

19 Sept 2016

Chris Ritchie
Department of Planning & Environment
GPO Box 39
Sydney
NSW 2001

Dear Chris

Spent Potliner (SPL) Recycling Facility at Tomago Aluminium Smelter - S75W Modification

Acting on behalf of Regain Services Pty Ltd (ABN 80 099 714 82) and their authorised representative, Kevin Cooper – NSW Regional Manager, I provide the following clarifications regarding the proposed, broadly administrative, modification of the existing Part 3A Approval (06_0050); for the Tomago SPL Processing Facility.

Modification of the existing approval is sought to provide for:

- **Removing existing limitations on suppliers** – Under the current Project Approval the supply of SPL is bound to two facilities – Tomago Aluminium and Hydro Aluminium. In 2012 Hydro Aluminium ceased production and was formally closed in 2014. As such, the available supply of SPL for processing has declined significantly with adverse operational and commercial implications. Modification is sought to remove this SPL supply restriction.

The proposed modification is discussed in greater detail below.

1.0 Operating Restrictions

The following operating restriction is applied through Condition 5 of Project Approval 06_0050:

“The Proponent shall not process more than a total of 20,000 tonnes per annum (tpa) of SPL waste classified as hazardous or restricted solid waste from the Tomago Aluminium Smelter and the Hydro Aluminium Smelter collectively.”

The amended wording sought for Condition 5 of Project Approval 06_0050 is provided below:

“The Proponent shall not process more than a total of 20,000 tonnes per annum (tpa) of SPL waste. ~~classified as hazardous or restricted solid waste from the Tomago Aluminium Smelter and the Hydro Aluminium Smelter collectively.~~”

It is proposed that Condition 5 be amended to remove restrictions on the source and classification of SPL waste source supplies. A decline in market supply of SPL has occurred following the closure of Kurri Kurri Aluminium Smelter in 2014. To ensure the continued commercial viability of Regain’s existing SPL processing facility, market opportunities exist to source SPL from other aluminium smelters in the region and beyond. This would provide new opportunities for beneficial reuse within the industry.

SPL is classified as a Dangerous Good, is a controlled waste, and requires careful handling and disposal in accordance with regulatory requirements. Interstate transport of SPL is permissible and is regulated by the *Dangerous Goods (Road and Rail Transport) Act 2008* and the National Environment Protection (Movement of Controlled Waste) Measure (which is enforced through State and federal legislation). There is no regulatory or logistical impediment to the safe transport of SPL providing all necessary authorisations are obtained.

2.0 Environmental Assessment

No material change to the operation of the site is proposed as part of the current modification. As the total quantity of SPL waste handled on site will remain below the already approved total of 20,000 tonnes per annum, the existing practical operation of the site will remain unchanged.

Whilst changing suppliers may result in the adoption of alternate transport routes, no significant impacts are predicted as a result of modifying the route taken by up to 15 trucks per week¹. It is anticipated that sourcing alternate suppliers would not present any significant impact to the safety or capacity of the existing road network as generally speaking the same arterial road networks would need to be used to access the site and these would have the capacity to absorb minor increases in truck movements. It is unlikely that the proposed modification would lead to any significant increase in impacts to the local or regional traffic network. Consequently the environmental consequences associated with the proposed modifications are likely to remain substantially the same as the original approved development.

3.0 Summary

In summary we seek a modification under Section 75W of the EP&A Act, which is broadly administrative in nature, to remove existing limitations on suppliers enforced through Condition 5 of Project Approval 06_0050.

I trust that the above advice provides sufficient information in regards to the proposed modification for the Tomago SPL Processing Facility. Please call me should you have any questions or concerns.

Yours sincerely



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¹ 30 truck movements per week were anticipated during peak operation of the site in the original EA (AECOM 2009).