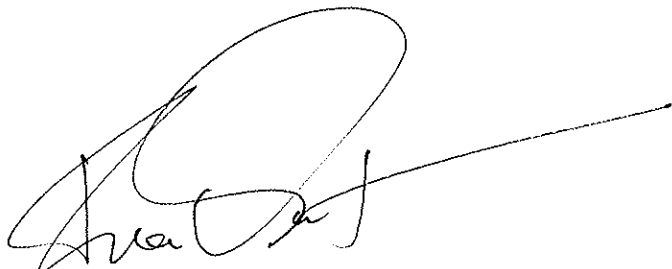


Modification Approval

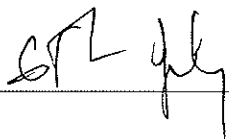
Section 75W of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, modify the project approval referred to in Schedule 1, in the manner indicated in Schedule 2.



Frank Sartor MP
Minister for Planning

Sydney



2007

File No: 9042384

SCHEDULE 1

Project Approval:	Granted by the Minister for Planning on 22 December 2006.
In respect of:	Project application 06_0095 made Chemsal Pty Ltd, in relation to Lot 431 DP854814, 40 Christie Street, St Marys in the Penrith local government area.
For the following:	Construction and operation of a chemical waste storage and treatment facility.
Modification Application:	Modification of the project approval to change the site layout, gas detection systems and types of dangerous goods stored on site.

SCHEDULE 2

The project approval is modified by:

Conditions that will require amendment:

1. In Schedule 2 replacing condition 2 with new condition 2 as follows:

Terms of Approval

The Proponent shall carry out the project generally in accordance with the:

- a) Project Application 06_0095;
- b) EA titled *Environmental Assessment for a Major Project Proposed Resource Recovery Facility 40 Christie Street, St Marys, New South Wales*, dated August 2006, and prepared by Peter J Ramsay and Associates;
- c) Final Statement of Commitments in the Submissions Report;
- d) Modification application titled *Request of Modification for Chemsals Pty Ltd's Chemical Waste Storage and Treatment Facility*, dated 19 April 2007, and prepared by Peter J Ramsay and Associates; and
- e) conditions of this approval.

If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.

2. In Schedule 3 replacing condition 4 with new condition 4 as follows:

The maximum amount of chemical waste to be stored and processed on the site is outlined in Table 1.

Table 1: Maximum amount of waste to be stored and/or processed

Dangerous Goods Classification		Maximum Quantity Stored on Site	Comment
Class	Packing Group		
2.1		500kg	
3	PG I, PG II and PG III	92,000 L	
4.1	PG II and PG III	10kg	
4.2	PG I, PG II and PG III	10kg	
4.3	PG I, PG II, PG III	10kg	
5.1	PG II and PG III	200kg	
5.2	PG II	200kg	
6.1	PG I	10 L	Chloropicrin only
6.1	PG II and PG III	9900 L	
6.1 (Subsidiary Risk 3)	PG II and PG III	500kg	
8	PG I, PG II and PG III	5000 L	Acid store
8	PG I, PG II and PG III	5000 L	Alkali store
8	PG II	500g	Mercury only
C2		2000 L	

3. In Schedule 3 replace condition 13 with new condition 13 as follows:

The Proponent shall prepare and implement the following studies for the project to the satisfaction of the Director-General:

- a) an Emergency Plan prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines*. A procedure should be included for conducting biennial emergency exercises in liaison with the NSW Fire Brigade;
- b) a Safety Management System prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 9 - Safety Management*;
- c) a Fire Safety Study prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Study Guidelines*, the NSW Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*, and to the satisfaction of the Commissioner of the NSW Fire Brigade;
- d) a Hazard and Operability Study, chaired by an independent qualified person approved by the Director-General. The study shall be carried out in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 8 - HAZOP Guidelines*. In particular, the operation and safe shutdown systems of the two scrubbers should be addressed. The study report must include a program outlining the implementation of all recommendations made in the report. In the event that implementation of a recommendation is deferred, justification must be provided;
- e) a Final Hazard Analysis prepared in accordance with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis*. The study should consider measures to reduce the risks at the neighbouring Dunheved Fire Station and include details and capability of the roof structure to control rocketing drums; and
- f) a report exploring the need for the installation of a chlorine gas detector at the facility. The report shall include the results of an investigation as to whether a chlorine gas detector is required at the facility and justification of the decision made.

The studies must be submitted to the Director-General prior to commencing operations. The Proponent shall implement all the recommendations of the studies as appropriate, and shall comply with all reasonable requirements of the Director-General in respect of the implementation of any measures arising from the recommendations, within such time as the Director-General may require.
