



27<sup>th</sup> June 2014  
Manager – Industry Mining & Industry Projects  
Department of Planning  
Western Gallery  
23-33 Bridge Street  
SYDNEY NSW 2000  
GPO Box 39 Sydney NSW 2001

Attention: Mr. C. Ritchie

Dear Chris,

**BLUESCOPE STEEL (AIS) PTY LTD – SINTER PLANT WASTE GAS CLEANING PLANT (DA-260201), SINTER PLANT UPGRADE (MP06\_0229).**

We refer to your response dated 10<sup>th</sup> February 2014 regarding the potential to align Independent Auditing (IA) and Environmental Management Reporting (EMR) requirements associated with the abovementioned development consents.

Currently Environmental Independent audits are conducted for the "Sinter Plant Waste Gas Cleaning Plant" and "SRG Gypsum Plant" on a tri-annual basis and annually for the Ore Preparation Upgrade Project. Individual Environmental Management reports for these projects are also provided to the Department on an annual basis.

In order to streamline future Independent Auditing and Environmental Management reporting requirements, BlueScope seeks approval from the Department to:

- align the Independent Environmental Auditing and Environmental Management reporting frequency for these projects to comply to a Tri-Annual frequency auditing and reporting period; and,
- delete conditions of consent for the abovementioned approvals that are considered as to be satisfied or no longer necessary.

As per requirement under Section 75W of the EP&A Act we provide copies of applications to modify these consents and accordingly seek the Department's approval to modify these consents.

**SINTER PLANT WASTE GAS CLEANING PLANT (DA-260201):**

**1) Details Of Any Changes To The Approved Projects:**

Nil.

**2) Details Of All Conditions That Are Considered To Be Satisfied Or No Longer Necessary:**

Conditions to which amendment is sought are referenced in Table 1.

BlueScope Steel (AIS) Pty Ltd  
ABN 19 000 019 625  
Port Kembla Steelworks  
Five Islands Road  
Port Kembla 2505  
PO Box 1854  
Wollongong 2500 Australia  
Telephone +61 2 4275 7522  
Facsimile +61 2 4275 5957

Table 1. SINTER PLANT WASTE GAS CLEANING PLANT (DA-260201)

DA Condition	EPA Licence Condition	COMMENTS
3.2A	N/A	This condition refers to construction during the project and should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
3.4	N/A	The requirements under this condition have been reflected in a number of departmental documents. This condition refers to construction during the project and should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.6	L6.5	This condition is covered by condition L6 of the BSL EPA 6092 Licence condition L6. A number of noise surveys conducted over several years demonstrate that compliance with this development approval is consistently achieved. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.7	L6.5 & PRP100	Noise surveys were conducted in 1992 as part of Pollution Reduction Program PRP100, and also as part of SMERP Noise Surveys conducted in 2003, 2004 indicate that noise levels measured at the specific measurement site complied with requirements under this condition and were not tonal. This condition is also covered by condition L6 of the BSL EPA 6092 Licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.12	O3.1, O3.2, O3.3, O3.4	DA condition 4.12 is duplicated in conditions O3.1, O3.2, O3.3, O3.4 of BSL EPA licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.13	N/A	Condition relates to pre-hot commissioning. Same as for response in Condition 4.12. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by

		condition 7.4.
4.15	N/A	Report sent to DoP and EPA in 2005. Requirements completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.17	M2	Results are reported to the EPA under the requirements of M2.1 of BSL EPA licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.18	L2.4	Results are reported to the EPA as per L2.4 BSL EPA licence.
4.19	N/A	Specific Mass Load limits for NOx and SOx has been removed from BSL EPA 6092 licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.20	O4.19	The requirement under this condition is covered by BSL EPA Licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.21	O4.19	Same as for response for Condition 4.20.
4.22	O4.17	Condition has been transferred into BSL EPA Licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.23		Condition – completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.24		Condition – completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.25	O4.17	Duplication with EPA licence condition O4.17. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.

4.26		Condition no longer applicable. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.27		Condition no longer applicable. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.28		Condition no longer applicable. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.29		Complete - no longer required. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.30		This condition applies to the construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.31	L3	Duplication with EPA licence condition L3.5. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.32		This condition applies to the construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.33		Condition – completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.34	L3	Condition is duplicated with L3.5. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.

4.35		Condition – completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.36		Condition – completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.38		This condition applies to the pre-commissioning phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.39		Condition – completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.40		Condition – completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.44		Requirements under this condition were transferred into the BSL EPA licence under Pollution Reduction Program PRP 114. A report was provided to the EPA in June 2007. This PRP has been completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.47	NA	Condition relates to construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.48	NA	Condition relates to construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.

4.49	NA	Condition relates to construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.50	03,04	Condition is duplicated with EPA licence condition O3. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.51		Condition relates to construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.52		Condition elates to construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
4.53		Condition relates to construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
5.5		Condition relates to Dangerous Goods Act 1975 which is no longer applicable. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
5.6		Condition requirements should be included into SAFETY related management reporting requirements. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
5.7		Condition relates to pre-construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.

5.8		Condition relates to pre-construction phase of the project. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
5.10		Condition requirements should be included into SAFETY related management reporting requirements. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
5.11		Hazop studies have been completed. Condition relates to pre-cold commissioning. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.3		Condition is covered by EPA licence, water sampling requirements. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.31	L6	Condition requirement is covered by EPA licence L6. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.4	M2	Condition requirement is covered by EPA licence condition M2. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.5	R1	Condition requirement is covered by BlueScope Steel EPA licence annual return. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.6	R1	Condition requirement is covered by BlueScope Steel EPA licence annual return. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.

6.7	R1	Condition requirement is covered by EPA licence annual return. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.8	R1	Condition requirement is covered by EPA licence 6092 Monitoring M condition. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.9	M	Condition requirement is covered by EPA licence 6092 Monitoring M condition. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.10	M2	Condition requirement is covered by EPA licence condition M2. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.11		Condition relates to pre-hot commissioning phase of the project and has been completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.13		Requirements under this condition were transferred into the BSL EPA licence under pollution reduction program PRP 112. This PRP was completed in 2011 and has been removed from the EPA licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.14		As per comment in 6.13
6.15	M2	Condition requirement is covered by EPA licence condition M2. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.16		Requirements under this condition were transferred into the BSL EPA licence under pollution reduction program PRP 104. This PRP was completed in 2004 and has been removed from the EPA licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.

6.17		As per comment in 6.16
6.18	M9.2	Condition requirement is covered by EPA licence condition M9.2. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.19	M2	Condition requirement is covered by EPA licence condition M2. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.20	M2	Condition requirement is covered by EPA licence condition M2. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.21		Requirements under this condition were transferred into the BSL EPA licence under pollution reduction program PRP 106. This PRP was completed in 2006 and has been removed from the EPA licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.22	M2	Condition requirement is covered by EPA licence condition M2. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.23		Requirements under this condition were transferred into the BSL EPA licence under pollution reduction program PRP 109. This PRP was completed in 2009 and has been removed from the EPA licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.24		As per comments for 6.23
6.25		Findings of monitoring programme specified in 6.23 did not require consultation with NSW Dept. of Agriculture and Health as sulphur rich gas from the WGCP is used for the making of gypsum product that is used cement making process and will not be used to produce acid or fertilizer for agricultural use not fertilisers (please refer to comments in 6.24). This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.

6.26		As per comments in condition 6.23.
6.27		Report was sent to the Department of Planning in 2002 and is complete. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.28		Details have been provide to the EPA as per Pollution Reduction Program PRP 108. This PRP has been completed and deleted from the BSL EPA 6092 Licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.29		PRP completed and document 9934 A submitted to DoP in Feb. 2003. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
6.30		As per comments for Condition 6.29.
6.31	L6.	Details were provided in PRP105 which is complete. Reports submitted to EPA and DoP in 2004. Noise surveys conducted since 2003 indicate that all noise related operating conditions are complied with. Currently noise related EPA conditions are specified under the EPA 6092 licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
7.1	R1	<del>Condition requirement is covered by EPA licence condition. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.</del>
7.2		Condition requirement has been have been met. Reports have been submitted to the EPA as part of PRP108. PRP has been deleted from the BSL EPA 6092 Licence. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
7.3		Report submitted to Wollongong City Council and EPA May 2003. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 7.4.
*7.4		BSL seeks approval from the DoP to submit the report on a Tri-annual basis.

### **3) Justification and options considered for all proposed amendments to the consents:**

Our review of the Sinter Plant Waste Gas Cleaning Plant Development consent conditions has identified that in general; most development consent conditions for this project have been completed, modified and or transferred into the BlueScope Steel Environmental Protection Authority (EPL) 6092 Licence. Therefore, BlueScope steel seeks approval under Section 75W of the EP&A Act to modify condition 7.4 of the Waste Gas Cleaning Plant Development Approval to change the Environmental Management Reporting requirement from an annual requirement to a tri- annual period and that development conditions identified in Table 1 are omitted from future Environmental Management Reporting requirements.

BlueScope Steel considers that the provision of environmental management reporting requirements on an annual basis are an unjustified cost of preparing a report that provides no demonstrable benefit, given the extent to which the Development Approval requirements have been superseded by EPA licence requirements since the construction and implementation of the project in 2001.

We advise that BlueScope Steel has also invested significant time, resources and capital investment at the Sinter Plant Waste Gas Cleaning Plant over the past thirteen years as the result of completing a number of Sinter Plant Waste Gas Cleaning Plant investigative and reporting Pollution Reduction Programs. These pollution reduction programs have resulted in a demonstrable improvement in environmental performance and compliance to both Development Approval and BlueScope Steel's EPA 6092 Licence conditions.

BlueScope Steel considers that the Waste Gas Cleaning Plant Development Approval conditions outlined in Table 1. which are either to be deleted or marked as complete, will assist in streamlining the consent and reduce future reporting burden, given that these conditions are now largely redundant, having either been completed or superseded by EPA licence requirements.

Alternatively, should approval not be provided by the Department of Planning to modify the requirements under condition 7.4 of the Waste Gas Cleaning Plant Development Approval would continue to impose unreasonable costs on BlueScope without any countervailing benefit to the community.

### **4) Details of any potential environmental impacts (if any)**

There are no negative environmental impacts associated with changes to these development conditions. All BlueScope related operations associated with these developments will continue to be regulated by appropriate EPA licence conditions.

**SINTER PLANT UPGRADE (MP06 0229).**

- 1) **Details Of Any Changes To The Approved Projects:**  
Nil.
- 2) **Details Of All Conditions That Are Considered To Be Satisfied Or No Longer Necessary:**  
Conditions to which amendment is sought are referenced in Table 2.

**TABLE 2. SINTER PLANT UPGRADE PROJECT (MP06\_0229)**

Development Approval Condition	EPA Licence Condition	Compliance Comment
2.2	O3	Condition is duplicated with EPA licence condition O3. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
2.3	O3	As per comment for condition 1.
2.4	O3	As per comment for condition 1.
2.5	O3	As per comment for condition 1.
2.6	L3	This condition is covered by BSL EPA condition L3. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
2.7	N/A	This condition was transferred into the BSL EPA 6092 Licence as Pollution Reduction Program PRP 128. This PRP was completed in 2010 and the EPA removed this requirement from the EPL 6092 licence in 2010. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
2.8	N/A	This condition applies to the construction phase of the project and has been completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.

2.9	L6	<p>This condition was transferred into the BSL EPA licence as Pollution Reduction Program PRP 130. This PRP was completed in 2009 and the EPA removed this requirement from the EPL 6092 licence in 2010.</p> <p>This condition is also covered by condition L6 of the BSL EPA 6092 Licence condition.</p> <p>A number of noise surveys conducted over several years demonstrate that compliance with this development approval is consistently achieved.</p> <p>This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.</p>
2.10	L6	As per comment for condition 2.9.
2.11	L6	As per comment for condition 2.8.
2.12	L5	This condition is covered by BSL EPA condition L1. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
2.13	L5	This condition is covered by BSL EPA condition L5. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
2.14	L5	This condition is covered by BSL EPA condition L5. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
2.15	L5	This condition is covered by BSL EPA condition L5. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
3.1		This condition had been complied with in 2009. The requirements of this condition have been transferred into the BSL EPA 6092 licence and are current under condition M3. This condition

		should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
3.2		This condition has been completed. A report was provided to the Department of Planning and EPA on 6 <sup>th</sup> January 2010. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
3.3		As per comment for 2.9.
3.4		As per comment for 2.9.
4.1		This condition applies to the operational phase of the project and is still required. BSL seeks approval from the DoP to submit future environmental management reports on a tri-annual basis.
5.1		All relevant documents of a non-commercial confidentially nature were made available to the public via a dedicated website, however this website is no longer accessible. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
5.2		This condition applies to the construction phase of the project and has been completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
5.3		This condition applies to the operational phase of the project and is still required. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
5.4		This condition applies to the construction phase of the project and has been completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.

6.1		This condition applies to the pre- construction phase of the project and has been completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.
6.2		As per comments for Condition 6.11.
6.3		This condition applies to the post commissioning phase of the project and has been completed. This condition should be deleted from the consent or marked as complete and not required to be reported upon in the Environmental Management Report required by condition 4.1.

### 3) Justification and options considered for all proposed amendments to the consents:

Our review of the Ore Preparation Upgrade Project consent conditions has identified that in general, most development consent conditions for this project have been either completed, and or covered by Bluescope Steel's Environmental Protection Authority (EPL) 6092 Licence. Therefore, Bluescope Steel seeks approval under Section 75W of the EP&A Act to modify condition 4.1 of the Ore Preparation Upgrade Development Approval to change the Compliance Monitoring & Tracking Independent Auditing and Reporting requirements from an annual to a tri- annual period and that development conditions identified in Table 1 are omitted from future Environmental Management Reporting requirements.

BlueScope Steel considers that the provision of environmental management reporting requirements on an annual basis are an unjustified cost of preparing a report that provides no demonstrable benefit, given the extent to which the Development Approval requirements have been superseded by EPA licence requirements since the construction and implementation of the project in 2007.

We advise that BlueScope Steel has also invested significant time, resources and capital investment associated with the ore preparation upgrade Project over the past seven years as the result of completing a number of Ore Preparation Upgrade investigative and reporting Pollution Reduction Programs. These pollution reduction programs have resulted in a demonstrable improvement in environmental performance and compliance to both Development Approval and BlueScope Steel's EPA 6092 Licence conditions.

Bluescope Steel considers that the Ore preparation Upgrade Development Approval conditions outlined in Table 2. which are either to be deleted or marked as complete, will assist in streamlining the consent and reduce future reporting burden, given that these conditions are now largely redundant, having either been completed or superseded by EPA licence requirements.

Alternatively, should approval not be provided by the Department of Planning to modify the requirements under condition 4.1 of the Ore preparation Upgrade Development Approval would continue to impose unreasonable costs on BlueScope without any countervailing benefit to the community.

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We thank you for your consideration in this matter. Please contact Mr. Lawrence Zammit on (02) 4275 7522 Ext. 5998 should you have any questions or request to arrange follow up meetings to discuss this matter further.

Yours faithfully



*FOR* DAVID BELL  
BlueScope  
MANAGER COKEMAKING & IRONMAKING