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### **EPA Submission on Planning Advice Request**

Dear Ms Barnet

Thank you for the request for advice from the Department of Planning, Industry and Environment (Planning) in which you requested a review by the NSW Environment Protection Authority (EPA) of the Applicants Second Revised Response to Submissions for the proposed Ingleburn Resource Recovery Facility (SSD-8593)(Proposal) at Bulk Recovery Solutions Pty Ltd (BRS), 16 Kerr Road, Ingleburn.

Please find the EPA's comments and recommendations in the attached submission. If you have any questions about the submission, please contact Matthew Davidson on 02 4224 4104.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Megan Whelan'.

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## NSW Environment Protection Authority (EPA) Submission on the Second Revised Response to Submissions for proposed expansion of an existing resource recovery facility (Application SSD-8593) at 16 Kerr Road, Ingleburn

Public Authority Consultation (PAE- 10941429)  
11 December 2020

The EPA has reviewed the following documents in relation to the Second Revised Response to Submissions (RRRtS):

- Bulk Recovery Solutions Response to Submissions – October 2020 – BRS, including:
  - Appendix B: Air Quality Response – Todoroski Air Sciences – 16 December 2019
  - Appendix C: Revised Site Layouts/Plans - BRS
  - Appendix D: Tipping Procedures/Flow Diagrams including “Processing of Asbestos Containing Liquid” – BRS
  - Appendix G: Previous Approvals for Concrete Batching Plant and other Activities/Facilities
  - Appendix H: Locations, Capacities and Compabilities (sic) of Storage Facilities - BRS
  - Appendix J: Revised Water Management Plan & Water Balance – DRB Consulting Engineers – 20 October 2020
  - Appendix K: Revised Noise Impact Assessment – Muller Acoustic Consulting – 17 December 2019

The EPA understands that the Proposal is for the expansion of an existing resource recovery facility. Under the Proposal, the facility will have capacity to process 225,000 tonnes per annum of a wide range of both solid and liquid wastes, and capacity to store 8,000 tonnes of waste at any one time.

The existing facility at 16 Kerr Road, Ingleburn is subject to Environment Protection Licence No. 20797 (Licence), issued to BRS by the EPA under the *Protection of the Environment Operations Act 1997* (Act).

The current Licence authorises the scheduled activities of Resource Recovery (Clause 34 of Schedule 1 of the Act), Waste Storage (Clause 42 of Schedule 1 of the Act) and Waste Processing (non-thermal treatment (Clause 41 of Schedule 1 of the Act)). Based on the information provided, if the Proposal is approved, a variation to the Licence will be required.

The EPA notes the following history in relation to this matter:

Date	Detail
12 September 2017	Planning requested Secretary's Environmental Assessment Requirements (SEARs) in relation to the Proposal
13 September 2017	EPA issued SEARS.

19 September 2018	Planning provided the EPA with a request, made by BRS' consultant, to modify the EPA's SEAR's.
2 October 2018	EPA provided Planning with a response to this request.
7 June 2019	EPA received Notice of Exhibition in relation to the Proposal from Planning. This notice requested the EPA's comments on the Proposal and any recommended conditions of consent.
10 July 2019	EPA provided comments to Planning in relation to the Notice of Exhibition for the Proposal, which detailed a number of requirements which had not been sufficiently addressed. The EPA advised that it was unable to undertake a detailed assessment of the Proposal and could not, therefore, support the Proposal in its current form.
12 February 2020	Planning provided the EPA with the applicants Response to Submissions (RtS) in relation to the Proposal
6 March 2020	EPA provided comments to Planning on the RtS. These comments related to the water management system and the management of both solid and liquid waste as outlined in the Proposal. In these comments, the EPA advised that once information addressing the concerns was received, consolidated comments and, if appropriate, any recommended conditions of consent could be provided.
26 June 2020	Planning provided the EPA with the applicants First Revised Response to Submissions (RRtS) in relation to the Proposal.
15 July 2020	EPA provided comments on the RRtS which again advised that further information and/or clarification in relation to both water and waste management was required to enable a complete and proper assessment of the Proposal.
9 November 2020	EPA received a request from Planning for advice and comment on the applicants Second Revised Response to Submissions (RRRtS).

The EPA has reviewed the Second Revised Response to Submissions (RRRtS) and notes that it does not address all of the EPA's submissions on this project from 6 March 2020 and 15 July 2020, particularly regarding water management. The EPA also notes that the process outlined for the treatment of Asbestos Containing Liquids has changed as part of the RRRtS.

The EPA has the following additional comments and recommendations:

## 1. Matters to be addressed prior to determination

### a. Water Management

#### i. Inadequate capacity of the harvesting/settling tank

The inadequate capacity of the harvesting/settling tank, which has been raised in the EPA's previous advices dated 6 March 2020 and 15 July 2020, has not been addressed.

The EPA has previously recommended that the applicant provides sufficient storage to manage any residual risks from the dirty water catchment area, with reference to relevant guidelines (*Environmental Guidelines: Solid Waste Landfills – EPA 2016*). The 120kL harvesting tank will only capture the first 10mm of rainfall which is significantly less than that required by the guidelines.

In the RRRtS, the applicant references General Terms of Approval included in the Land and Environment Court Orders 10527 of 2006, (with orders being made by the Court on 9 March 2007), when discussing the adequacy of the first flush stormwater management system. The EPA does not consider that these GTA's are relevant in relation to the current Proposal and advises that the *Environmental Guidelines: Solid Waste Landfills – EPA 2016* are the most contemporary and appropriate reference in relation to the current proposal.

#### ii. Exposed stockpiles

Appendix C of the RRRtS indicates that the Finished Goods Storage Bays, (labelled SB4 – Outside 1, SB5 – Outside 2 and SB6 – Outside 3 in Appendix H) located in the south-east corner of the site, are not wholly undercover of the awning that has been recently approved through a separate planning process, leaving part of the bays/stockpiles exposed.

These bays are described in Appendix C of the RRRtS as containing: Dust, 10mm, 20mm, Roadbase, Sand, Concrete Agg, Soils, Filtercake and C&D wastes.

Given the type of material to be stored in these bays, and the bays not being wholly covered, the EPA believes that they are likely to contribute pollutants to stormwater that will not be adequately treated prior to leaving the site.

## **b. Asbestos Containing Liquids**

The EPA notes the method proposed to treat Asbestos Containing Liquid (ACL) has been revised in the RRRtS. Sufficient detail has not been provided about this waste and how it will be treated managed on site prior to removal.

The new method proposes to add a combination of cement, lime, fly ash, perlite, or vermiculite to the liquid waste slurry via an auger feeder to immobilise the liquid content contained within the soil or sludge. The waste would then be cured and tested against the EPA's waste classification guidelines.

Under the proposed methodology, vehicles would be washed down inside the asbestos treatment room before leaving the site via an external wheel wash. Asbestos transferred from vehicles to the wheel wash is a relevant asbestos transport pathway that may result in asbestos contaminated water being discharged to sewer.

The proposal should demonstrate the implementation of best practice controls and mitigation measures through all stages of receipt and handling and clarify how potential asbestos contamination in wheel wash waters will be managed.

### **The EPA recommends the proponent:**

- i. engage a suitably qualified expert to review all proposed asbestos control measures and the processes that will be implemented to maintain these.
- ii. consider the potential for asbestos to impact wheel wash waters, and develop and propose appropriate management measures, consistent with best practice.

## **2. Matters to be addressed with conditions**

### **a. Noise Management**

#### **i. Hours of Operation**

Operations are recommended to be restricted to certain times, consistent with the operations described in the RRRtS and Appendix K.

The EPA recommends that activities on site be limited to the following times:

#### **Solid Waste Processing**

- Monday to Friday 7am to 10pm
- Saturday 7am to 6pm
- Sunday 8am to 6pm

#### Liquid and Mud Waste Processing

- 24 hours a day, 7 days a week

#### Concrete batching operations

- Monday to Friday 3am to 10pm
- Saturday 7am to 6pm
- Sunday 7am to 6pm

### ii. Noise Mitigation Measures

The EPA recommends:

- a. The noise barrier specified in Chapter 6.3 and Figure 2 of the noise impact assessment (NIA) (Noise Impact Assessment Bulk Recovery Solutions Pty Ltd Resource Recovery Facility, Ingleburn, NSW, dated 17 December 2019, Muller Acoustic Consulting Pty Ltd, reference MAC170598RP1V03) be constructed prior to the proposed modified operations commencing and as soon as practical during or before construction starts.
- b. The following noise mitigation measures be implemented at the premises:
  - Buildings are to be constructed of tilt slab concrete with 0.6mm corrugated steel roof, or products of an equivalent or better acoustic performance
  - The concrete batching plant is to be fully enclosed such that the agitator is fully within the building during loading
  - The slumping stand is to be set back a distance of 10m from the eastern roller doors inside the main building
  - Roller doors are to remain closed, except during vehicles entering and exiting
  - Trucks queuing or waiting on site should shut off their engines whenever possible
  - All plant and equipment used on the premises to be fitted with broadband reversing alarms.

### iii. Construction Noise and Vibration Management Plan

The EPA recommends the proponent prepare and implement a detailed Construction Noise and Vibration Management Plan (CNVMP), prior to commencement of construction activities, that includes, but is not necessarily limited to:

- a. identification of each work area, site compound and access route (both private and public)
- b. identification of the specific activities that will be carried out and associated noise sources at the premises and access routes
- c. identification of all potentially affected sensitive receivers
- d. the construction noise and vibration objectives identified in the Environmental Assessment

- e. assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in the Environmental Assessment
- f. where the objectives are predicted to be exceeded an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts
- g. description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of any operational noise control barriers
- h. procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity
- i. measures to monitor noise performance and respond to complaints.

*If approval is granted for the Proposal, the Licence will need to be varied. The EPA has specific noise related licence conditions which will form part of the Licence upon variation. These specific noise conditions can be provided to the Department if required.*

## **b. Air Management**

The EPA recommends that conditions be included to address potential air impacts from the Premises, including:

### **i. Processing rate**

- a. a maximum of 675 tonnes of waste may be processed per day (Monday to Friday)
- b. a maximum of 495 tonnes of waste may be processed per day (Saturday and Sunday)

### **ii. Odour Mitigation and Management Strategy**

- a. All fugitive emission points associated with the storage of liquid waste materials and the dissolved air floatation device (DAF) must be fitted with carbon filters which are fit for purpose and prevent or minimise the emission of odour.
- b. Prior to commencement of operations, the proponent must prepare an odour management plan. The plan should identify:
  - All mitigation measures listed in the Environmental Impact Statement (KDC, 2019), including those listed in Table 46-Mitigation Measures
  - Preventative maintenance procedures to ensure all odour control equipment is operating in a proper and efficient manner, including a carbon breakthrough management strategy
  - Key performance indicator(s) for emission controls and management measures;
  - Monitoring method(s) including location, frequency and duration;
  - Proactive and reactive response mechanisms;
  - Responsibilities for demonstrating and reporting achievement of key performance indicator(s)
  - Record keeping requirements and procedures;

- Compliance reporting requirements and procedures;
- A process for performance review of the plan to promote continuous improvement.

*Note: The management plan must be developed in consultation with a suitably qualified air quality consultant and the Technical framework for the assessment and management of odour from stationary sources in NSW.*

### iii. Dust Management

- Prior to commencement of operations, the proponent must prepare a dust management plan. The plan should identify:
  - All mitigation measures listed in the Environmental Impact Statement (KDC, 2019), including those listed in Table 46-Mitigation Measures;
  - Preventative maintenance procedures to ensure all emission control equipment is operating in a proper and efficient manner;
  - Key performance indicator(s) for emission controls and management measures;
  - Monitoring method(s) including location, frequency and duration;
  - Proactive and reactive response mechanisms;
  - Responsibilities for demonstrating and reporting achievement of key performance indicator(s);
  - Record keeping requirements and procedures;
  - Compliance reporting requirements and procedures; and
  - A process for performance review of the plan to promote continuous improvement

### c. Waste Management

The EPA recommends that prior to commencement of operations, the proponent prepare an Operational Environmental Management Plan (OEMP) which includes a Waste Management Plan.

The EPA recommends that the inclusion of conditions be considered to address potential waste management issues, including:

- All waste must be appropriately classified prior to receipt.
- All waste must be managed to ensure that mixing or cross contamination is prevented.
- All waste, including difficult to treat, potentially reactive, or incompatible wastes, and washout waters generated onsite, must be identified and appropriately handled, stored and treated.
- Waste must only be stored in the designated tank or storage bay for that waste type.
- All tanks must be fitted with an overflow detection system designed to avoid any overflow.
- Waste must be appropriately re-classified prior to disposal or reuse where required.
- Any waste transported from the site for reuse by application to land or use as a fuel must comply with the requirements of a resource recovery order.

## 3. Minor matters

### a. Immobilisation

The RRRtS (p17/121) refers to the proponent seeking a general approval to undertake immobilisation processing hazardous waste. The EPA notes any immobilisation approval will be specific to the waste generated at the premises, not a general approval to process different types of hazardous waste received or generated at the site.

The EPA notes an immobilisation approval is also required where the proponent wishes to treat Restricted Solid Waste (RSW) to reclassify the resulting waste as General Solid Waste (GSW).

The EPA recommends:

- i. the proponent be made aware that any immobilisation approval to apply at the site will be specific to a waste stream, and not a general approval for all hazardous (or RSW) waste streams.
- ii. an immobilisation approval will also be required if the proponent wishes to treat and reclassify RSW to GSW.

**This concludes the EPA's submission on the proposal.**



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**Environment Protection Authority**