



DOC20/792462-8

Ms Bianca Thornton
Industry Assessments
Planning and Assessment Division
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124
Email: bianca.thornton@planning.nsw.gov.au

1 February 2021

EPA Advice on Bettergrow Resource Recovery Facility Wetherill Park Submissions Report

Dear Ms Bianca Thornton

Thank you for the request for advice from Public Authority Consultation (PAE- 12491467), requesting the review by the NSW Environment Protection Authority (EPA) of the Submissions Report for the proposed modification of the Bettergrow Resource Recovery Facility Wetherill Park (Application SSD 7401- Mod-1) at 24 Davis Road Wetherill Park on land described as Lot 18 DP249417.

The EPA has reviewed the following documents:

- BETTERGROW WETHERILL PARK - Modification of the Bettergrow Resource Recovery and Recycling Facility - Response to Submissions - SSD 7401 – MOD1.
- Additional Air Quality Information prepared by Advanced Environmental Dynamics Pty Ltd, 2 December 2020.

The EPA understands the proposed new limits for each waste stream and the proposed wastes to be received include:

- 100,000 tonnes per year of hydro-excavation drilling muds and fluids for storage, separation and consolidation (**being a 40,000tpa increase above currently approved levels**)
- 150,000 tonnes per year of General Solid Waste, including VENM, ENM, soils, gravels, aggregates, street sweepings, clean timber, asphalt waste, cured concrete, rail ballast, and C&D waste (**this is a new waste stream for processing**)
- 70,000 tonnes of Garden Organics (GO) and Mixed Food and Garden Organics (FOGO) (**no change to approved levels**)
- 30,000 tonnes of Food Organics (**no change to approved levels**).

Based on the information provided, the proposal will require an environment protection licence under section 47 of the *Protection of the Environment Operations Act 1997* (POEO Act) for Scheduled Development works. Prior to commencing operations, the proponent will require an EPL issued under section 48 of the POEO Act to authorise the carrying out of Scheduled activities Waste Processing (non-thermal treatment) (clause 41), Waste Storage (clause 42) and Resource Recovery (clause 34).

Phone 131 555
Phone +61 2 9995 5555
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

Locked Bag 5022
Parramatta
NSW 2124 Australia

4 Parramatta Square
12 Darcy St, Parramatta
NSW 2150 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au

The EPA has reviewed the Submissions Report and notes it has addressed the EPA's submission on this project from 23 October 2020.

The EPA has the following additional comments and recommendations:

1. Matters to be addressed prior to determination

References to outdated guidelines and incorrect waste classifications

The EPA has reviewed the consent conditions listed in Appendix F of the Response to Submission report and identified some errors that will need to be rectified prior to determination. Please see below:

Condition A7 (a) currently states –

The Applicant must not receive or process more than 350,000 tonnes per year of waste comprising of:

- (a) 100,000 tpa of hydro-excavation, drill muds and fluids, classed as general solid waste (non-putrescible);

EPA recommends changing to:

The Applicant must not receive or process more than 350,000 tonnes per year of waste comprising of:

- (a) 100,000 tpa of hydro-excavation, drill muds and fluids, classified as liquid waste.

Condition B43 currently references an outdated version of the Managing Urban Stormwater (Blue Book).

Condition B43 (c) currently states –

B43. The Applicant must design, install and operate a stormwater management system for the Development. The system must:

- (c) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff (Engineers Australia, 2016)* and *Managing Urban Stormwater: Council Handbook (EPA, 1997)*;

EPA recommends changing to:

B43. The Applicant must design, install and operate a stormwater management system for the Development. The system must:

- (c) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff (Engineers Australia, 2016)* and *Managing Urban Stormwater: Soils and construction - Volume 1 (Landcom, 2004)*;

2. Matters to be addressed with conditions

The EPA has reviewed the revised AQIS included as part of the Response to Submission report and based on the information that has been provided recommends that the following conditions be included with the modified development consent.

Conditions of Approval

Operating

The EPA recommends limiting the daily processing limit to 497.5 tonnes a day. This value is based on the peak scenario used for the dust emission model. The AQIS report states *Peak Scenario: Considers the emission of dust associated with an intake and output of 497.5 tonnes/day of bulk material handling and is based on a peak number of vehicle movements.* If the proponent wants to increase the daily processing limit the modelling will need to be revised and provided back to the EPA for review.

Suggested wording for condition:

The site is limited to processing a maximum of 497.5 tonnes per day.

Air Quality

To ensure the proposed facility can mitigate against any unforeseen dust related issues once operations commence the EPA recommends that the design and construction of the building should allow for roller doors to be retrofitted.

Suggested wording for condition:

The design and construction of the building should not preclude the ability for roller doors to be retrofitted.

Air Quality Management Plan

To ensure air quality issues during operations are appropriately managed the EPA recommends that an air quality management plan (AQMP) is developed and implemented.

Suggested wording for AQMP condition:

An air quality management plan must be developed and implemented prior to the commencement of any dust generating activities associated with the premise.

The air quality management plan must include as a minimum:

- i. *Risk assessment;*
- ii. *Proactive and reactive mitigation measures of all significant, and potentially significant, emissions sources*
- iii. *Key performance indicator(s);*
- iv. *Monitoring method(s);*
- v. *Location, frequency and duration of monitoring;*
- vi. *Record keeping;*
- vii. *Response mechanisms and contingency measures; and*
- viii. *Responsibilities;*
- ix. *Compliance reporting.*

Dust

The revised AQIS identified one additional exceedance predicted at one receptor for two of the five years modelled in the peak emissions scenario for 24-hour PM₁₀ concentrations. While this is considered a low risk the EPA still considers that this risk requires some specific conditions included with the development consent.

Suggested wording for specific dust related conditions:

- All operations and activities occurring at the premise must be carried out in a manner that prevents or minimises the emission of air pollutants from the premises.
- The premise must be maintained in a manner that prevents or minimises the emission of air pollutants.
- Trucks entering and leaving the premises that are carrying loads must have their loads covered at all times, except during loading and unloading.
- The licensee must ensure that no material is tracked from the premise.
- All processing of material must occur within the building.

Odour

There is a risk that offsite impacts from odour could occur if operations and mitigating measures are not appropriately managed. The EPA recommends a condition that references section 129 of the *Protection of Environment Operations 1997* is included with the development consent.

Suggested wording for odour condition:

No condition in this licence identifies a potentially offensive odour for the purposes of section 129 of the *Protection of the Environment Operations Act 1997*.

Note: Section 129 of the Protection of the Environment Operations Act 1997 provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

If you have any questions about this request, please contact Luke Davison on 02 6659 8250 or via email at north.coast@epa.nsw.gov.au

Yours sincerely



Scott Hunter
Unit Head Regulatory Operations Regional North