DOC22/466993-14

7 July 2022

Chris Ritchie
Director Industry Assessments
Department of Planning and Environment

Via email Sheelagh.laguna@planning.nsw.gov.au

Attention: Sheelagh Laguna

EPA Advice on Revised Submissions Reports – Air Quality and Noise Impact Assessments

Dear Mr Ritchie,

Thank you for the request for advice on 10 June 2022 from Public Authority Consultation (PAE-45567544), requesting the review by the NSW Environment Protection Authority (**EPA**) of the additional information about the Sell & Parker Pty Ltd (**the Proponent**) proposed Kings Park Metal Recovery and Recycling Facility Expansion (SSD-10396) (**the Proposal**) at 23-43 and 45 Tattersall Road, Kings Park (**the Premises**).

Noise impact assessment comments

The EPA has reviewed the following documents:

1. Ethos Urban correspondence to Mr Chris Ritchie dated 6 June 2022 – *Main Response Report – Kings Park Metal Recovery and Recycling Facility Expansion (SSD-10396)* (**Response Report Noise**).
2. Letter correspondence prepared by Renzo Tonin & Associates to Sell and Parker (Mr Jordan Rogers) dated 21 April 2022 – *23-43 and 45 Tattersall Road Kings Park – Supplementary Noise information* (**Supplementary Noise Information Report)**.
3. Noise and Vibration Management Plan prepared by Ethos Urban dated 6 June 2022 (**Noise Management Plan).**

These documents include verification of noise modelling for the facility. There remains some uncertainty about the performance of the facility, as determined by the noise model, principally because the model verification exercise was not undertaken during noise enhancing meteorological conditions. Under these conditions the effectiveness of the proposed acoustic barrier meet noise limits also remains unproven.

The Noise Management Plan includes a proposed noise mitigation measure that requires curtailing certain activities under "*weather conditions [that] are likely to result in an increase of noise transmission",* however the current level of information does not allow for those conditions to be defined and therefore applied in practice.

The live noise monitoring feedback tool is also conceptual and it is not clear how it will be developed and implemented to reduce maximum noise events from metal processing activities in real time.

Detailed comment is attached at **Attachment 1**. The EPA recommends these matters be addressed prior to determination.

Air quality impact assessment comments

The EPA has reviewed the Advice Note provided by Northstar Air Quality dated 14 April 2022 titled *Kings Park Expansion – Air Quality reference 22.1097.FM2V1* (**AQIA Addendum**).

The AQIA Addendum has considered additional control measures and included those control factors in revised dispersion modelling. The revised AQIA has articulated the control measures that are currently in place and those that are proposed to be implemented.

The AQIA Addendum has included the industrial and commercial receptors in the immediate vicinity in the complete evaluation of impacts (incremental and cumulative). The inclusion of the additional control measures has resulted generally in a decrease of particulate impacts at receptors, however an additional exceedance is still predicted at three adjacent properties.

The AQIA Addendum has identified that a Trigger Action Response Plan (TARP) will be implemented for proactive and reactive dust management. The EPA recommends the proponent verify the effectiveness of these measures.

Detailed comment is attached at **Attachment 2a**.

Recommended conditions regarding air quality matters are attached at **Attachment 2b.**

If you have any questions about these comments, please contact me on (02) 9995 5586 or via email at damien.rose@epa.nsw.gov.au.

Yours sincerely

DAMIEN ROSE.

DAMIEN ROSE
A/Unit Head, Statutory Planning

Attachment 1 – Noise impact assessment comments

The Response Report Noise responds to comments made by the EPA in correspondence to the Department of Planning and Environment on 3 February 2022 (DOC21/1142757-11):

a) Model validation using LAmax events

The meteorological conditions prevailing during the model validation exercise have not been presented.

Sell and Parker currently have acoustic barriers in place that may affect noise propagation to the east. Additional acoustic barriers also form part of the current proposal. A barrier's acoustic performance can be affected by meteorological conditions such as source to receiver winds and/or stable atmospheric conditions (temperature inversions). Given that the model validation exercise was undertaken during daylight hours it is questionable whether stable atmospheric conditions were present during the exercise, and as such the performance of the existing barrier under source to receiver winds and/or inversions is unknown. This means that the model validation exercise may not be completely relevant to confirm the models performance for morning shoulder periods when limit conditions will apply under source to receiver winds and stable atmospheric conditions.

The noise models performance under noise enhancing meteorological conditions is also relevant information for the proponent to successfully implement mitigation measure "*3D*" in the Noise Management Plan. The Noise Management Plan proposes an '*Operational mitigation measure'* that includes:

> *"3D - If weather conditions are likely to result in an increase of noise transmission, activities will be assessed and where required rescheduled, reduced or stopped. Monitoring shall be done in conjunction with data supplied from the on-site meteorological station".*

The success of this measure depends on a thorough understanding of the performance of the noise mitigation measures under identified meteorological conditions favourable to noise propagation. It is unclear how this mitigation measure could be implemented as the meteorological conditions that would trigger "curtailment" of certain activities is not known or stated.

b) Objective assessment of modifying factor relevance

On 3 February 2022 the EPA raised concern that the *Noise Policy for Industry* (NPfI) modification factors had not been adequately assessed.

Figures 2 – 17 of the Supplementary Noise Information Report present noise measurements at receiver locations to support the assertion that modifications are not required in line with the NPfI Fact Sheet C. Based on the information provided the EPA considers the potential for NPfI modification factors being applicable is low and can be managed by conditions requiring the modification factors be met.

c) Objective assessment of modifying factor relevance [impulsivity]

This response focusses on proposed mitigation measures to reduce short term event noise (metal processing noise). The measures proposed can be broadly summarised as acoustic barriers, a Noise Management Plan that includes curtailment of activities during weather that will enhance noise propagation and a live noise monitoring feedback tool that is suggested will allow for both proactive and reactive process control.

As discussed above, the performance of the acoustic barriers under noise enhancing weather has not been fully described, determined and justified. The weather conditions that may trigger curtailment of certain activities has also not be identified and committed to. The live noise

monitoring feedback tool is conceptual and it is not clear how it will be developed and implemented to reduce maximum noise events from metal processing activities.

The EPA cannot recommend noise limits for the proposed modification until the performance of the facility under noise enhancing meteorological conditions is better understood as this represents a compliance risk for the proponent, community and regulators. The proposed operation of the live noise monitoring feedback tool requires further explanation before it can be relied upon as a mitigation measure.

d) Sound power levels for site activities:

This matter has been adequately addressed.

e) Predicted noise levels in Addendum NIA Table 7.7 and 7.8:

This matter has been adequately addressed, noting however that a better understanding of the proposed mitigation measures performance under noise enhancing conditions would give more confidence in the predicted noise levels.

Attachment 2a – Air quality impact assessment comments

The AQIA Addendum has addressed questions raised in the EPA's correspondence to the Department of Planning and Environment on 25 February 2022 (DOC21/1142757-14):

a) Exceedances of particulate impact assessment criteria

On 25 February 2022, the EPA recommended that the proponent present cumulative impacts at all identified receptors and that the proponent provide contour plots of particulate impacts for transparent evaluation of impacts.

The AQIA Addendum has included a complete assessment (incremental and cumulative) of impacts at all receptors, including R10-R19. This matter has been adequately addressed.

b) Control and mitigation measures

The AQIA Addendum includes additional controls in the re-modelling of impacts. These controls include sweeping of haulage roads, enclosure of transfer points on conveyors, water sprays on handling and transfer points and minimisation of drop height. These additional control factors are identified in Table 4 of the AQIA Addendum.

The re-modelled results show a decrease in predicted impacts at receptors. However, a remaining additional 24-hour PM10 exceedance is predicted at three adjacent receptors. The AQIA Addendum proposes a Trigger Action Response Plan (TARP) be implemented for proactive and reactive dust control. The EPA recommends the effectiveness of these mitigation measures be verified, as per the recommended condition at Attachment 2b.

This matter has been adequately addressed and can be conditioned should the proposed modification be approved.

a) Meteorological conditions modelled

On 25 February 2022, the EPA recommended that the proponent use the onsite meteorological data to validate the modelled meteorology.

The AQIA Addendum has not included the onsite meteorology to validate the modelled meteorology but has provided an additional independent meteorological assessment using an additional measured meteorological station as an alternate approach to validate the model.

This matter has been adequately addressed.

Attachment 2b – Recommended Conditions - Air quality

1. The additional controls identified in the AQIA Addendum (Northstar, 14 April 2022); sweeping of haulage roads, enclosure of transfer points on conveyors, water sprays on handling and transfer points and minimisation of drop height, must be implemented or installed prior to commencement of increased throughput and maintained so as to be effective.

2. The meteorological station must be operated, maintained, and collect data in accordance with the methods specified in the Australian Standard AS3580.14 - Methods for sampling and analysis of ambient air meteorological monitoring for ambient air quality monitoring applications.

3. Evaluation of effectiveness of reactive management practices

Twelve (12) months following the commencement of increased throughput operation (600,000 tpa), the licensee must undertake a review of the proactive and reactive mitigation and management measures implemented at the premises during the previous year of operations. The review must specifically consider the additional measures identified in the AQIA Addendum (Northstar, 14 April 2022) required to achieve compliance with particulate criteria.

A report must be prepared, and provided to NSW EPA, detailing the review undertaken for the previous year of operations. The report must include but is not necessarily limited to:

a) Summary of the:
   I. Throughput in the previous year of operations
   II. The ambient air monitoring data collected in the previous year of operations
   III. The meteorological conditions measured by the onsite weather station
   IV. The trigger levels (PM_{10} concentration and meteorology) and associated actions, initiated in the previous year of operations, to minimise dust impacts.
   V. Training of operators in implementing required control measures (i.e minimisation of drop heights)
b) The number of hours the specific reactive mitigation and management methods were used and the meteorological and monitoring measurements at the time,
c) An evaluation of the effectiveness of the reactive management measures in minimising dust (PM_{10}) impacts at receptors,
d) Recommendations regarding any necessary changes or updates to monitor locations, trigger levels and/or actions required to mitigate dust impacts.