



DOC22/1064601-4

Emma Barnet  
Senior Environmental Assessment Officer  
Industry Assessments Division  
Department of Planning, Industry and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124  
Email: [Emma.Barnet@planning.nsw.gov.au](mailto:Emma.Barnet@planning.nsw.gov.au)

**EPA Advice on Modification Application for Visy Penrith Glass Beneficiation Facility,  
Penrith (SSD 5267)**

Dear Ms Barnet,

Thank you for the request for advice from Public Authority Consultation (PAE-51637209), requesting the review by the NSW Environment Protection Authority (EPA) of the Modification 3 (Mod 3) application to State Significant Development SSD5267 for the Visy Penrith Glass Beneficiation Facility, located at 126 Andrews Road Penrith (the Premises).

The EPA has reviewed the proposal, including the following documents:

- *Visy Penrith Glass Beneficiation Facility, 126 Andrews Road, Penrith NSW, S4.55(2) Modification Application (SSD 5267) – Ref 30110893 -Arcadis Australia Pacific Pty Ltd – 10 November 2022*
- *Visy Glass Recycling, Air Quality Impact Assessment (AQIA), prepared by SOUNDIN, April 2022*

The EPA understands the proposal is for:

- A modification of the development consent to increase the processing capacity of the Premises from 150,000 tonnes of glass per annum to 225,000 tonnes of glass per annum.

Based on the information provided, the proposal will require an Environment Protection Licence (licence) variation under Clause 58 of the *Protection of the Environment Operations Act 1997* (the POEO Act).

The EPA has reviewed the Mod 3 and notes that:

1. The application does not provide sufficient information to determine if recommended conditions of approval can be provided in relation to surface water management. Section 1 of this letter outlines the EPA's position and recommendations in further detail.
2. The AQIA fails to provide robust supporting evidence of the assumptions adopted. However, the residual uncertainty can be addressed via recommended conditions of approval, outlined in Section 2 of this letter. Additionally, Attachment A provides recommended conditions of approval for air quality.

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

6 Parramatta Square  
10 Darcy St, Parramatta  
NSW 2150 Australia

[info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)  
[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

## 1. Matters to be addressed prior to determination

### a. Surface Water Management

The EPA's review of the Mod 3 has identified the need for more information. The Mod 3 currently fails to address the following key matters:

- I. How surface water is currently managed at the premise, including but not limited to:
  - i. How leachate is managed at the Premises; and
  - ii. Contaminant profile of the stormwater dam; and
  - iii. How contamination within the stormwater dams is managed; and
  - iv. Contaminant profile of the leachate.
- II. The different types of pollution and associated environmental impact resulting from the proposal. Including but not limited to:
  - i. The impact on leachate generation as a result of increased throughput; and
  - ii. Impact of stormwater discharge on sensitive receptors; and
  - iii. How pollution, including leachate, will be managed at the Premises, and all measures to prevent, control, abate or mitigate pollution of waters.

**The EPA recommends** that Visy provide a Water Pollution Impact Assessment that addresses the key matters addressed above. Guidance can be found at <https://www.epa.nsw.gov.au/your-environment/water/managing-water-pollution-in-nsw/environment-protection-licensing/water-pollution-discharge-assessments>

## 2. Matters to be addressed with conditions

### a. Air Quality

The EPA's review of the Mod 3 and AQIA has identified inadequacies in the supporting information. The AQIA has not robustly demonstrated through the provided supporting information, that the adopted emission rates are representative of the final plant design nor the anticipated ventilation system and achievable emission performance.

Provided the proponent commits to the diligent and ongoing implementation of all the mitigation measures assumed in the preparation of the AQIA, the residual uncertainty regarding the emissions rates can be addressed via recommended conditions of approval included in Attachment A.

The recommended conditions are intended to verify the ongoing emission performance of the pollution control systems and demonstrate compliance with the Protection of the Environment Operations Act (1997) (the POEO Act) requirements, including obligations to prevent or minimise emissions (Sections 124 to 126).

If you have any questions about this request, please contact Jordan Gavel on (02) 8275 1224 or via email at [Jordan.Gavel@epa.nsw.gov.au](mailto:Jordan.Gavel@epa.nsw.gov.au).

Yours sincerely,



**JESSICA FLEMING**  
**A/Unit Head – Regulatory Operations**  
**NSW Environment Protection Authority**

## Attachment A. Proposed conditions relating to Air Quality

### Licence Conditions

#### **PX Location of monitoring/discharge points and areas**

**P1.1** The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point

EPA Identification No	Type of monitoring	Type of discharge	Description of Location
1	Air emissions monitoring	Point	Dust collector East
2	Air emissions monitoring	Point	Dust collector West

#### **LX Concentration limits**

**LX.1** For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

**LX.2** Air Concentration Limits

##### **POINT 1, 2**

Parameter	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction		Averaging period
Solid Particles (Total)	Milligrams per cubic metre	5	Dry, 273 K, 101.3 kPa	NA		1 hour block

#### **MX.1 Air Monitoring Requirements**

**MX.1** For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

##### **POINT 1, 2**

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles (Total)	Milligrams per cubic metre	Yearly	TM - 15
Temperature	Degrees Celsius	Yearly	TM - 2
Velocity	Metres per second	Yearly	Velocity

## **MX.2 Testing methods - concentration limits**

- MX.2 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
  - b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
  - c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

**Note:** The Protection of the Environment Operations (Clean Air) Regulation 2022 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".