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Major Projects Portal & Electronic Mail
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EPA Comments on Environmental Impact Statement

Dear Ms Laguna

Thank you for the referral to the Environment Protection Authority (EPA) requesting comment on the Environmental Impact Statement (EIS) for State Significant Development (SSD) application no.SSD-11606719.

The EIS has been prepared by Arcadis Australia Pacific Pty Limited on behalf of Dial-A-Dump Pty Ltd (the Proponent) for the proposed Eastern Creek Recycling Ecology Park Throughput Increase at Lot 1 DP 1145808, Lot 2 DP 1247691, and part Lot 2 DP 1145808, also known as 1 Kangaroo Avenue, Eastern Creek, NSW, 2766 (the Premises).

The Proponent holds Environment Protection Licence no.13426 for the operation of a landfill at the Premises (the Landfill Licence) and Environment Protection Licence no.20121 for the operation of a resource recovery facility at the Premises (the Resource Recovery Licence).

The EPA understands the Proponent proposes to increase the amount of waste permitted to be received in a 12 month period at the Premises from 2 million tonnes to 2.95 million tonnes along with infrastructure amendments and upgrades (the Proposal). The Proposal comprises 3 stages:

- Stage 1:
  - 500,000 tonnes of additional waste to be received per year.
- Stage 2:
  - 450,000 tonnes of additional waste to be received per year.
  - construction and operation of a new exit connection to the Honeycomb Drive extension and installation of two associated outbound weighbridges and a dedicated weighbridge office.
  - construction and operation of a new exit connection to Kangaroo Avenue in the northeast of the Premises and the installation of two associated outbound weighbridges and a dedicated weighbridge office.
  - upgrade of existing internal roads as required.
  - earthworks for stage 3 site establishment.
  - additional carparking and amenities.

- Stage 3:
    - construction and operation of a workshop (relocating this activity from elsewhere within the Premises to a dedicated enclosed facility).
    - construction and operation of a skip bin Maintenance and Manufacturing Workshop.
    - installation of landscaping, signage, security fencing and finishing works.

The EPA has conducted a review of the information provided for the Proposal including the EIS and the associated documents.

The EPA has determined the provided information is insufficient for the EPA to adequately complete its assessment of the Proposal. Also, the EPA notes the EIS and associated documents do not address all of the requirements set out in the Secretary's Environmental Assessment Requirements (SEARs).

Therefore, the EPA is unable to provide recommended conditions of approval for the Proposal at this stage and may recommend refusal if it remains in its current form. The EPA's comments are provided in Attachment A below.

The EPA has not considered Aboriginal cultural heritage, biodiversity, or built form and urban design requirements as these are the purview of the Department of Planning and Environment.

If you have any questions about this request, please contact Ms Alex Sands on (02) 9995-5981 or via email at alexandra.sands@epa.nsw.gov.au.

Yours sincerely

Rob Hogan
Manager Regulatory Operations - Metro

ATTACHMENT A

Background

The Proponent is currently undertaking scheduled activities at the Premises under the Landfill Licence and the Resource Recovery Licence. The Landfill Licence permits the scheduled activities of waste disposal (application to land) and waste storage. The Resource Recovery Licence permits the scheduled activities of composting, resource recovery and waste storage.

The EPA notes the Proposal would require the variation of the Landfill Licence and the Resource Recovery Licence to lawfully operate if approved. The EPA is unable to support the Proposal at this stage as a range of additional information is required to demonstrate to the EPA that the potential impacts of the activity have been adequately assessed, and that appropriate mitigation of these impacts will be in place.

In relation to air, noise and water impacts, the Proposal does not appear to consider best practice or take all practical measures to prevent, control, abate, or mitigate pollution. More detail is provided further on in this attachment.

The Protection of the Environment Operations Act 1997 (the Act) makes clear that environmental performance is to be continuously improving. The EPA therefore requires that best management practices are considered for all new proposals. The need for best practice can be linked to section 3 of the Act including:

> *(d) to reduce risks to human health and prevent the degradation of the environment by the use of mechanisms that promote the following –*
>
> *(ii) the reduction to harmless levels of the discharge of substances likely to cause harm to the environment; and*
>
> *(iv) the making of progressive environmental improvements, including the reduction of pollution at source.*

The EPA requires additional information be provided to enable to EPA to adequately assess the Proposal and the potential environmental impacts. The information is required to inform licensing considerations consistent with Section 45 of the Act including:

> *(c) the pollution caused or likely to be caused by the carrying out of the activity or work concerned and the likely impact of that pollution on the environment,*
>
> *(d) the practical measures that could be taken:*
>
> *(i) to prevent, control, abate, or mitigate that pollution; and*
>
> *(ii) to protect the environment from harm as a result of that pollution.*

The general EPA expectations regarding consideration of best practice, and the required additional information, are detailed below.

Best Practice

1. Enclosure of Facilities

Best practice resource recovery facilities conduct all waste activities including receival, sorting, processing, sampling, quarantine, storage and loading within a fully enclosed building. The EPA notes that conducting all waste activities inside fully enclosed buildings assists with the minimisation of pollution, such as air, noise, and water, and improves environmental outcomes.

The Proposal in its current form does not give consideration to conducting all resource recovery related waste activities inside fully enclosed buildings. Some of the activities conducted at Material Processing Centre 1 (MPC1) and Material Processing Centre 2 (MPC2) are within partially enclosed buildings, with conveyors discharging to external stockpiles. All waste activities at the Timber Area and the Segregated Materials Area (SMA) are conducted externally.

The EPA requires the Proposal be revised to consider best management practices for mitigation of air, noise and water impacts, including that all waste activities relating to resource recovery, including at MPC1, MPC2, and the SMA, are conducted inside fully enclosed buildings.

2. Sealed Hardstand

It is unclear from the EIS and associated documents which areas are proposed to be sealed and which will be unsealed under the Proposal. Although it appears some of the resource recovery areas are proposed to be unsealed.

The EPA expects the Premises to be entirely sealed hardstand aside from the landfill and vegetated surfaces to minimise potential environmental impacts. Unsealed areas can cause the migration of pollutants into groundwater.

The EPA requires the Proposal be revised to ensure all surfaces (aside from the landfill and vegetated surfaces) are sealed.

Additional Information Required

1. Waste Types

The EIS does not include adequate information regarding the waste types proposed to be received at the Premises as well as at each facility operating within the Premises. The EIS states on a number of occasions that waste to be received 'includes' or 'includes but is not limited to'. This is not sufficient. All of the waste types proposed to be received at the Premises under the Proposal must be clearly set out and described.

The EPA requires all of the waste types proposed to be received at the Premises to be clearly set out along with which of the waste types will be received at which facility. Each waste type which is proposed to be received must be identified with reference to the EPA Waste Classification Guidelines and definitions under clause 49 of Schedule 1 of the Act.

2. Waste Management and Handling

The EIS does not include adequate information regarding the waste handling and management under the Proposal, including that storage will be kept below the approved Authorised Amount of 667,000 tonnes at any one time. Due to the lack of information, it is unclear as to how (or if) waste will be able to be adequately managed at the Premises under the Proposal.

The EPA notes that it will reassess and possibly increase the Financial Assurance amount required under the Licence should the proposal be approved.

The EPA requires further information be provided regarding waste handling and management. At minimum (but not limited to) the following must be provided for the Premises overall and for each facility at the Premises:

- *Details of the sources of each waste type to be received.*
- *Details of the types and quantities of each type of waste to be received.*
- *Details of the maximum volume of each waste type and the total maximum volume of waste to be stored at any one time.*

- *Details of the maximum annual throughput of each waste type and the total maximum throughput to be processed.*
- *A detailed description of receival, processing, and storage, and loading procedures for each waste type received.*
- *Details of the type and quantities of materials to be produced and their intended fate.*
- *The intended fates of all other waste and materials received/produced on site which are not suitable for re-use.*
- *Details of any materials produced under a Resource Recovery Order, and the controls/procedures in place for meeting the conditions of that order.*
- *Details of any materials produced which will require a specific Resource Recovery Order.*
- *A description of procedures for dealing with non-conforming waste and materials (i.e. waste not permitted to be received at the Premises).*
- *Details of any testing/monitoring procedures.*
- *Details of storage for unprocessed and processed wastes including the maximum storage capacity for each type of stored waste (the EPA notes each type of waste stored on site for recovery/recycling must be stockpiled separately).*

3. Waste Levy

Minimal information has been included in the EIS regarding how compliance with the waste levy requirements will be achieved include record keeping and reporting.

The EPA notes that it has previously raised concerns with the Proponent regarding record-keeping and reporting for the Premises, which has led to associated issues with levy liability calculations. The EPA is concerned these issues could be exacerbated by increasing the waste throughput limits currently in place.

The EPA requires detailed information be provided regarding how the waste levy requirements, including record keeping and reporting, will be adequately managed under the Proposal. The EPA requires evidence that the new weighbridge software system is able to meet the requirements under the Protection of the Environment Operations (Waste) Regulation 2014 (the Waste Regulation) and the Waste Levy Guidelines.

4. Site Plan

Insufficient detail has been provided in the EIS and associated documents in relation to the site design. Particularly in regard to each of the resource recovery facilities (MPC1, MPC2, and the SMA) and the maintenance and manufacturing workshop.

A detailed site plan must be provided to enable a sufficient understanding of how the site as a whole and also how each of the facilities at the Premises will be operated under the Proposal.

The EPA requires a site plan to be provided for the overall Premises as well as a site plan for each of the waste facilities at the Premises. These site plans must identify at minimum (but is not limited to):

- *Location of each facility.*
- *Traffic flows and directions.*
- *Haulage.*
- *Waste receival, processing, storage, and loading (for each waste type).*
- *Quarantine.*
- *Infrastructure for environmental controls including dust, noise, water, odour, and wheel wash.*
- *Infrastructure for waste receival, processing, storage, and loading.*
- *Weighbridges.*
- *Site boundaries.*
- *Licence boundaries.*
- *Stormwater drainage areas.*

- *Unused stabilised areas.*
- *Machinery storage areas.*
- *Areas required under the Standards for managing construction waste in NSW*
- *Any dangerous goods, hazardous goods and/or chemical storage areas (including any fuel storage*
- *Bunding.*

5. Air

The EPA has reviewed the Air Quality Impact Assessment prepared by EMM Consulting Pty Limited and dated 21 June 2022 (the AQIA) submitted as Appendix K of the EIS.

The EPA has determined the information within the AQIA is insufficient for the EPA to adequately assess the potential air impacts from the Proposal and has not adequately addressed the SEARs. The EPA requires the matters set out below to be addressed and the required additional information be provided to enable an adequate assessment of potential air impacts.

<u>Significant predicted impacts at commercial receptors</u>

The AQIA has assessed air quality impacts at residential and commercial receptors. Impacts are predicted to be below the EPA's Impact Assessment Criteria (IAC) for PM10 at all assessed residential receptors. One additional exceedance day is predicted to occur for PM2.5 (24-hour), predominantly driven by elevated background levels. Numerous exceedances of the EPA's IAC are predicted at commercial receptors.

By stage 2 of the Proposal, Total Solid Particulate (TSP) emissions are expected to increase by 34% from currently approved operations – representing an increase from 48.8tpa to 65.3tpa. The most significant source of emissions is wheel generated sources representing 70% of total emissions.

Emissions from the SMA account for approximately 30% of total emissions from the site under stage 2 operations. At the SMA, material handling and processing occurs outside, including loading product stockpiles, loading trucks, material crushing, screening and shredding. Emissions from crushing and screening activities at the SMA are significant sources of emissions. By stage 2, particulate emissions from these activities are predicted to double from current operations. Water sprays operate on the crusher and screens, however, engineering controls, beyond what is currently employed at the site, are not proposed. Wind erosion from exposed areas, such as stockpiles, in the SMA are also a significant contributor to total particulate emissions, however, no engineering controls are proposed.

The Approved Methods for the Modelling and Assessment of Air Pollutants (the Approved Methods) requires, if the EPA's impact assessment criteria are exceeded, the dispersion modelling be revised to include various pollution control strategies until compliance is achieved.

The EPA requires the AQIA to be revised to include:

- *Results of a source apportionment analysis to determine the main sources contributing to the predicted exceedances at the commercial receptors.*
- *Additional mitigation measures and engineering controls for minimising emissions from the main sources contributing to off-site impacts. This is to include, but not be limited to:*
    - *emissions from wheel generated dust eg. fixed/automated sprinkler systems along haul roads.*
    - *activities within the SMA including crushing, screening and wind erosion from stockpiles.*
    - *conveyors tipping to stockpiles external to the MPCs.*
- *Benchmarking the management and control measures against industry best practice for minimising particulate emissions. This should include, but not be limited to:*
    - *full enclosure of dust generating activities including crushing, grinding, screening, conveyors, and tip-and-spread activities,*

    - *wheel generated emissions,*
    - *stockpile management, and*
    - *watering regimes.*
- *Evaluation of the feasibility and practicability of implementing best practice measures for the identified sources. Where best practice measures are not proposed, detailed justification must be provided for each proposed external activity and how, for each activity and the overall site, the Proposal will achieve similar environmental outcomes to best practice approaches.*
- *Additional options for monitoring and managing dust emissions from main sources.*

Additional exceedance days due to peak emissions

Section 8 of the AQIA describes the method used to derive peak day operations, whereby a factor of 1.3 (30%), corresponding to 95th percentile traffic rates, has been applied to site wide PM10 concentrations predicted for all modelled scenarios.

A cumulative frequency analysis has been undertaken, at the most impacted residential and commercial receptors, to understand the potential for impacts from peak day operations. Analysis was performed, pairing predicted 24-hour PM10 concentrations at either assessment location with PM10 concentrations recorded at the Bingo Minchinbury monitoring site between 2016 and 2021.

The analysis has been used to show the likelihood of additional cumulative criteria exceedance occurring. The data shows that there is an increased potential of 6 additional days of exceedance at commercial receptors and 18 under peak operating scenario during stage 1 (plus stage 2 construction). Totalling an estimated 34 additional days.

The EPA requires the AQIA be revised to consider alternative operating scenarios, such as separating out the construction activities such that they do not coincide with proposed throughput increase, to minimise emissions during each stage of the proposed development.

Non site-specific meteorological data used

The CALMET meteorological model used in the assessment was originally configured and run for application number MP06_0139-Mod-6, being modification 6 of the Eastern Creek Recycling Ecology Park SSD (Modification 6).

The CALMET modelling was described and evaluated in the Modification 6 air quality impact assessment. However, following the Modification 6 approval, an onsite automatic weather station (AWS) was installed and has been collecting data since December 2020.

A wind rose comparing the onsite measurements (December 2020 to October 2021) with the predicted CALMET winds at the Proposal Site and the Prospect AQMS is presented in Figure 2-2 of the AQIA. As shown in Figure 2-2, the percentage occurrence of calms winds measured onsite (4.3%) is lower than Prospect (10.3%) and significantly lower than CALMET. The CALMET predicted onsite wind rose does not replicate the dominant northerly and south-westerly winds.

The EPA considers the use of CALMET in place of site specific meteorological data has not been adequately justified. The EPA requires adequate justification for this approach. If adequate justification is unable to be provided, the AQIA must be revised to include the use of site specific meteorological data rather than CALMET.

Emissions inventory

The mean wind speed predicted via CALMET is 1.5 m/s, which is slightly lower than the onsite measurement (2.2 m/s). The mean wind speed adopted in the calculations used in the emissions inventory is 1.6 m/s.

The modelling results presented in the AQIA are updated from what is presented in the Modification 6 air quality assessment and incorporate recent changes since Modification 6. The updated emissions inventories have been developed using contemporary information about the Premises, including recent weighbridge data and site-specific data for material properties (e.g moisture and silt contents). The silt loading for internal roads was tested as part of this study and was found to range from 0.2 g/m2 (at the site entrance) to 7.8 g/m2 near MPC1. These values have been adopted into the emissions inventory. However, no records have been included to support the adopted values.

The EPA requires the AQIA be revised to include robust justification for the adopted values used for wind speed and silt content. Copies of relevant test reports and/or records must be provided to support the adopted values.

Stage 2 emission reductions

The AQIA predicts lower impacts of particulates at some adjacent commercial receptors when compared to approved operations even though the throughput increases. It is stated that this decrease is due to the reconfiguration of the Premises, which will re-distribute dust emissions, particularly from trucks, by re-directing truck exit points to the Honeycomb Drive extension and Kangaroo Avenue in the northeast of the Premises.

The EPA requires the AQIA be revised to include further analysis showing the expected re-distribution and associated reduction in impacts due to the proposed changes in internal roads and access.

6. Air - Odour

The EPA has reviewed the odour component of the EIS and the Air Quality Impact Assessment prepared by EMM Consulting Pty Limited and dated 21 June 2022 (the AQIA) submitted as Appendix K of the EIS.

The EPA has determined further information is required on the odour management approaches for the proposal. The EPA requires the matters set out below to be addressed and the required additional information be provided to enable an adequate assessment of potential odour impacts.

The EPA notes that it is currently prosecuting Dial-A-Dump for an alleged offensive odour event that impacted Minchinbury and surrounding communities for several months in 2021 resulting in over 800 reports of odour to the EPA, and is currently investigating a further odour event that impacted Minchinbury between March and July 2022.

Increase in landfill tonnage

The AQIA notes that there is no proposed increase in gate tonnage direct to the landfill, but notes there will be a ‘small’ increase in residual waste from the MPCs going into the landfill.

The EPA requires further information on the estimated increase in the amount of waste going to landfill as a result of the proposal, expressed both as an annual tonnage and as a percentage proportion of estimated total annual tonnage disposed of to landfill.

The EPA also notes the statement in the AQIA that chute waste would not be high in organic matter and would therefore not contribute to an increase in landfill gas generation. The EPA requires further information on the estimated organic content of the chute waste, as a percentage by weight.

Inclusion of proposed Modification 9 in odour modelling

The AQIA notes that the odour emissions inventory used as a basis for the odour modelling accounts for emissions from the approved Modification 10 and proposed Modification 9. The EPA accepts that Modification 10 should be included, as this has been approved and is anticipated to be in place by

November 2022, however the EPA understands that Modification 9 has not been submitted or approved by DPE and should not be included if it has a significant impact on modelling results.

The EPA requires further information on the effect of including Modification 9 in the odour modelling, and if this is significant, requires that the modelling be re-done without Modification 9.

Clarity on consideration of fugitive gas emissions

Table 3.3 of the AQIA lists odour emission sources, including a number of different entries for different types of landfill surface, and for the Permanent flare/s. The EPA notes that gas collection systems do not collect 100 percent of the gas produced in a landfill, and further notes that there is no entry in this table to account for fugitive gas emissions.

The EPA requires further information on the estimated collection efficacy of the landfill gas collection system, expressed as a percentage of total estimated gas production, including estimates of worst-case scenario conditions such as after a period of heavy rainfall.

The EPA also requires clarification on whether the gas not collected by the gas management system is accounted for in the odour emission fluxes listed for the different landfill surface area types, or should be included as a separate item in this table. If it is the latter, the EPA requires that the table be updated with fugitive emissions as a separate item and the modelling re-done with this included.

7. Noise

The EPA has reviewed the Noise and Vibration Impact Assessment prepared by RWDI Australia Pty Ltd and dated 21 February 2022 (the NVIA) submitted as Appendix J of the EIS.

The EPA has determined the information within the NVIA is insufficient for the EPA to adequately assess the potential noise impacts from the Proposal and has not adequately addressed the SEARs. The EPA requires the matters set out below to be addressed and the required additional information be provided to enable an adequate assessment of potential noise impacts.

Noise impact in Minchinbury

The NVIA nominates representative locations for residential receivers in Minchinbury in NVIA Table 2-2 and NVIA Figure 2-1. Receivers R0 to R9 in Figure 2-1 appear to be representing the closest receivers to the Premises in Minchinbury.

The noise contours in NVIA Appendix B appear to show some receivers between McFarlane Drive and Buring Crescent, and between Cobbler Crescent and McFarlane Drive are located within the 40-44 dBA contour which appears to be a potentially different contour compared with receivers R0 to R9.

During the night period, the Project Noise Trigger Level (PNTL) for residential receivers in Minchinbury is 43 dBA and as such it is currently not clear if receivers in Minchinbury in the 40-44 dBA contour are predicted to receive noise levels above the PNTL. The receivers or representative receivers within this 40-44 dBA contour do not appear to have been included in the individual receiver predictions in the NVIA.

The EPA requires clarification regarding whether noise emissions from the Premises meets the PNTLs (Leq,15min and Lmax) for all residential receivers in Minchinbury, particularly those shown to be within the 40-44 dBA contour for night period scenarios.

Skip bin handling and storage

The new maintenance and manufacturing workshops proposed as part of stage 3 of the Proposal include a skip bin manufacturing and maintenance facility. However, it is not clear how the NVIA has

considered the potential impact noise from the handling, maintenance and storage of skip bins, which have the potential to cause noise events at receivers, particularly as the proposed workshops are intended to operate 24 hours a day.

Skip bins, particularly empty bins can create noise events from striking the ground, other skips bins, machinery and general handling, maintenance and storage activities. Noise from the handling and storage of skip bins has the potential to be noticeable at receivers and must be appropriately addressed.

The EPA requires the following additional information:

- *Clarification as to how skip bin handling, maintenance and storage and other potential noise generating activities from skips bins was addressed in the NVIA.*
- *How the potential for Lmax events and the influence on the Leq,15min levels generated by skip bins related activities was considered in the NVIA. For example, did the assessment consider striking metal by tools, skip bins striking other objects, manufacturing activities, etc.*
- *The locations and areas where skip bins will be handled, worked on and stored, particularly in the new stage 3 workshop areas and hardstand, including if it will be indoors or outdoors.*
- *If any management measures or good practice methods are proposed to minimise the potential for noise events from skip bin activities to occur.*

Noise model validation

NVIA Section 2.5 states that the predictions were compared against measurements in Table 3-6. However, column 6 of Table 3-6 state that for all measurements the site was inaudible. Therefore, it is not clear what noise level was compared with the predictions if the site was inaudible.

The EPA requires clarification regarding how the noise model was validated using measurements.

8. Water

The EPA has reviewed the Surface Water Impact Assessment prepared by at&l and dated 9 February 2022 (the SWIA) submitted as Appendix N of the EIS.

The EPA has determined the information within the SWIA is insufficient for the EPA to adequately assess the potential water impacts from the Proposal and has not adequately addressed the SEARs. The EPA requires the matters set out below to be addressed and the required additional information be provided to enable an adequate assessment of potential water impacts.

Water discharge impact assessment

The SWIA does not characterise the water quality that is anticipated to be discharged from the proposed and existing detention basins during construction and operation. MUSIC modelling is used to assess impacts and it assumes pollutants are limited to total suspended solids, total nitrogen, total phosphorus and gross pollutants. MUSIC is a model developed for urban stormwater management and is therefore not appropriate for industrial sites with point source discharges.

The SWIA does not appear to consider the type of waste, how it is stored on the Premises and the potential for contaminant leaching to determine the contaminants of concern. The Landfill Licence and Resource Recovery Licence that apply to the Premises identify a limit for ammonia in discharges from the Premises. As a minimum, ammonia must also be included as a contaminant of concern.

The outcomes of the SWIA are not compared to *the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG2018)* which are the relevant guidelines for toxicants, or the *Performance criteria for protecting and improving the blue grid in Wianamatta-South Creek (State of NSW and Department of Industry, Planning and Environment, 2020)* which contains the relevant criteria for physical and chemical stressors.

The EPA requires the SWIA be revised to:

- *Characterise the discharge for the concentrations and loads of all pollutants with the potential to cause non-trivial harm during construction and operation.*
- *Assess the potential impact of all discharged pollutant concentrations and loads on the environmental values of the receiving waterway, including typical through to worst-case scenarios, with reference to the relevant guideline values for a slightly to moderately disturbed waterway consistent with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG2018) for toxicants and Table 4 of the Performance criteria for protecting and improving the blue grid in Wianamatta-South Creek (State of NSW and Department of Industry, Planning and Environment, 2020) for physical and chemical stressors. Reference to a site specific guideline value derived using a reference site consistent with ANZG (2018) and agreed to by the EPA is also an option.*
- *The assessment must consider at minimum:*
    - *the ambient water quality of the receiving environment.*
    - *the appropriate level of protection for the uses and values of the receiving environment.*
    - *the potential for pollutant loading and associated risk for both chronic toxicity and the promotion of nuisance species.*
- *Demonstrate how the proposal will be designed, constructed and operated to:*
    - *protect the Water Quality Objectives for receiving waters where they are currently being achieved.*
    - *contribute towards achievement of the Water Quality Objectives over time where they are not currently being achieved.*
- *Demonstrate that all practical and reasonable measures to avoid or minimise water pollution and protect human health and the environment from harm are investigated and implemented.*

<u>No demonstration of practical options to avoid discharge</u>

The SWIA states surface water will be discharged under the Proposal from two existing OSD basins and the proposed Basin B. The SWIA does not outline why it is necessary for water to be discharged from the Premises and it has not been demonstrated that all practical and reasonable alternatives have been considered before other options are reviewed. It is considered best practice by the EPA for all water that has contacted waste to be managed as leachate.

The EPA requires the SWIA be revised to demonstrate all practical and reasonable alternatives to discharge have been considered. If it is proposed for water to be discharged from the Premises, this must be adequately justified.

<u>Detention basin pollutant capture</u>

The SWIA indicates that increased impervious areas will increase surface water runoff on the site. The runoff will be directed to the new basins and one of the existing basins. The stormwater catchment plan shows the catchments for each basin and some features such as proposed buildings and some roads. The plan does not identify key features that may impact stormwater runoff quality such as uncovered stockpiles of waste. Page 20 of the SWIA mentions the areas that drain to the bioretention system and/or OSD basin include stockpile areas.

The SWIA states water will be discharged from the Premises and into the receiving waterway, Angus Creek. The frequency and volume of discharges to the receiving waterway have not been identified in the SWIA.

The EPA requires the identification of the materials/wastes which are stored in the stockpile areas which will drain to the bioretention system and/or OSD basin and the pollutants that may contribute to runoff must be identified. The EPA requires the frequency and volume of discharges to the receiving waterway to be included to provide an understanding of the risk to waterway health.

9. Standards for Managing Construction Waste in NSW

It is a requirement under part 8A of the Waste Regulation for waste facilities which receive construction and demolition waste to comply with the *Standards for managing construction waste in NSW* (the Standards). The Standards were developed and implemented to ensure that waste facilities handling construction waste implement appropriate processes and procedures to minimise the risk of harm to human health and the environment posed by asbestos and other contaminants found in the waste.

The EIS does not demonstrate how operations under the Proposal will ensure compliance with the Standards. The Standards are only briefly referenced which is insufficient.

The EPA requires detailed information be provided as to how compliance with the Standards will be achieved at the Premises overall and at each of the resource recovery facilities, including MPC1, MPC2, and the SMA, in order to minimise the risk to human health and the environment.

10. Fire Safety Guideline

The EPA has reviewed the Fire Safety Strategy Report prepared by Innova Services Australia Pty Ltd and dated 15 February 2022 (the Fire Report) submitted as Appendix O to the EIS.

The EPA notes Fire and Rescue NSW has developed the *Fire safety guideline – Fire safety in waste facilities* (the Fire Safety Guideline). The Fire Safety Guideline was developed as waste facilities are at a high risk of fire related incidents. Any fire involving a waste facility can cause a significant pollution incident.

The Fire Report has addressed the Fire Safety Guideline, however, it sets out that there are many aspects of the Proposal which will not be compliant. The EPA is concerned about the risk of fire under the Proposal due to the lack of compliance with the Fire Safety Guideline.

The EPA requires the Proposal be revised to ensure compliance with all aspects of the Fire Safety Guideline to minimise the fire risk. The Fire Report must be updated to reflect the revised Proposal. If any aspect of the Fire Safety Guideline is unable to be complied with, adequate justification must be provided for each non-compliance. Further, sufficient alternative methods for the minimisation of fire risk to an equivalent standard of the Fire Safety Guideline must be included.