Our reference: DOC14/233758

Mr Nick Hall
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

20 October 2014
ELECTRONIC MAIL

Dear Mr Hall

Refusal to grant General Terms of Approval - Additional information required in EIS
Kings Park Waste Metal Recovery, Processing and Recycling Facility (SSD-5041)
23-43 and 45 Tattersall Road, Blacktown

I refer to Department of Planning and Environment's (DP&E) letter dated 26 March 2014 to the Environment Protection Authority requesting "General Terms of Approval" (GTAs) for the above development.

On 22 April 2014 the EPA provided comments to DP&E requiring further information on be included in the final Environmental Impact Statement (EIS) regarding potential air, noise and odour issues together with an assessment of the current operation of the hammermill. This information was requested because of the large number of complaints the EPA receives about the facility regarding dust, odour and smoke from the existing operation.

EPA held a meeting to discuss this and other air quality issues with the applicant on 15 September 2014. A supplementary report titled *ELM Air Pty Ltd report number N92746 – Emission testing report – Blacktown Plant* prepared by ERM was provided to the EPA on 28 September 2014.

However, the EIS placed on public exhibition on 27 August 2014 did not include all additional information required by the EPA in relation to potential air, noise and odour impacts. Therefore, the EPA is unable to grant GTAs until the additional information is provided and assessed. A detailed list of the information required is in Attachment 1.

Should you have any further enquiries please contact me on 02 9995 5765.

Yours sincerely

C. Groves

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ENVIRONMENT PROTECTION AUTHORITY

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ATTACHMENT 1

THE PROPOSAL

Sell and Parker currently operate a waste metal processing and recycling facility at Lot 5 on Deposited Plan 7086, 45 Tattersall Rd, Blacktown. Scheduled activities at the Premises are regulated by environment protection licence no. 11555 and development consent no. DA/7797 issued by Blacktown City Council and modified by Land and Environment Court Proceedings No. 10336 of 2013.

The Premises currently has approval to process 90,000 tonnes per annum as per the DA and the EPL.

The proposal is to increase the throughput capacity from 90,000 tpa to 350,000 tpa. This will require physical expansion of the facility to an adjacent parcel of land (Lot 2 on Deposited Plan 550522).

Hammermill operation

In the EPA's comments on the draft EIS dated 22 April 2014, the EPA required the Proponent to provide additional information in relation to the hammermill operation, however these details were not included in the final EIS. The EPA requires the Proponent to:

- Consider additional management practices, addressing the draining of oil and lubricants from cars prior to them being fed into the hammermill; and

Noise and vibration

In the EPA's comments on the draft EIS dated 22 April 2014, the EPA required the Proponent to provide additional information in relation to the "Noise and Vibration Impact Assessment for EIS" prepared by Renzo Tonin & Associates (NSW) Pty Ltd dated 27 February 2014, however these details were not included in the final EIS.

The EPA requires the Proponent to provide the following information:

- The Noise and Vibration Impact Assessment states that the metal shears are the plant on site with the greatest potential to produce vibration but the EPA has received complaints of excessive vibration generated by the hammermill, and officers of the EPA have experienced notable vibration in an adjoining premises that was attributable to operation of the hammermill;
- It relies on measurements made in 2003, more than 10 years ago, on vibration from the metal shears, but presents no vibration data for the hammermill; and
- The Report needs to include measured levels of vibration during operation of the hammermill.

The EPA's own observations of vibrations or as described by the Proponent as "airbeat" caused by the "shaker" on the hammermill are excessive and causing offsite impacts. The EPA is not prepared to issue GTAs for this proposal until the Proponent has committed to addressing this issue to the EPA's satisfaction.

Water balance/discharge

The Proponent proposes to install two oil/water separators at the Premises to treat contaminated stormwater prior to discharge to Breakfast Creek. The EIS states that the Proponent will be seeking (following consent) alteration to the existing environment protection licence to allow for discharges to Breakfast Creek from the stormwater basin on Lot 5 DP 7086. The water balance in the EIS indicates that all water generated onsite can be reused for operational use. In this case discharge will not be required. If there is excess dirty water the EPA advises that the Proponent will need to investigate all practical alternatives to discharge and evidence must be provided on the assessment of alternatives. For example, potential options that could be considered individually, or in combination, could include (but are not limited to):

- reducing the amount of wastewater generated;

- reducing the contamination or generation of stormwater eg. by separating waste streams coming into the site and by separating areas with different risk profiles, by collecting oils and lubricants so they don't enter stormwater;
- storing or using potential pollutants (especially fuels and toxic materials) in a manner that is isolated from stormwater and wastewater (eg. by roofing); and
- discharging to the sewer (approval can be sought from Sydney Water to discharge industrial trade wastewater to the sewer).

Please note that he EPA issued a Notice of Clean-up Action (No. 1518162) to Sell & Parker on 18 November 2013 preventing any discharge from the Premises to Breakfast Creek due to high levels of heavy metals & hydrocarbons in the water being discharged.

Air quality

The EPA has significant concerns in relation to air quality impacts from the proposed operation and requires additional information to make an adequate assessment of the likely impacts. The EPA's comments in relation to potential air quality issues are below:

1. Hammermill

The hammermill was labelled as the wet scrubber in the Air Quality Assessment (AQA) and characterised as a stack source with a diameter of 0.56 m and a height of 3 m. Photos were provided by the proponent showing the vent where odour monitoring was completed. From the photos provided, the hammermill appears to be near the incline conveyor (CV04). However, the location of the discharge stack (WSS01) modelled appears to be near the non-ferrous material drop area (TP05).

It is uncertain whether the location of the hammermill where odour monitoring was undertaken is the same as the wet scrubber stack in the modelling. Therefore, the wet scrubber stack specifications for volumetric flow rate and particulate emission concentration used in the modelling may not be appropriate.

EPA requires the Proponent to provide clarification that the characterisation and the emission rates used in the modelling for the wet scrubber is representative of the hammermill.

2. Oxy Cutting

As discussed in the meeting on 15 September 2014 with the proponent, there are several methods for the modelling of emissions from oxy cutting. The existing modelling characterises oxy cutting as a 1 m high stack source with a very low velocity (0.01 m/s) and diameter (0.05 m). The proponent explained that this was to simulate the point where the metal and the oxy cutter contact with a very low volumetric flow rate to account for the fact that it is a fugitive source.

The results of the oxy cutting modelling indicate that the maximum concentration contours for 1-hour average NO_2, iron oxide fumes, manganese and copper dust appears to be on the adjacent site approximately 200 m west of the oxy cutting sources. The contours appear to go around the area where the oxy cutting source is located. There appears to be incongruities in the characterisation of the oxy cutting source for fugitive emissions to accumulate on the adjacent site, 200 m from the source.

Whilst it is agreed that it is difficult to characterise a fugitive emission source like the oxy cutting process, based on the incongruities in the results of the modelling EPA requires the Proponent to undertake sensitivity testing of oxy cutting in the modelling for validation.

3. Toxic Air Pollutants

The AQA only assessed toxic air pollutants from the oxy cutting process. However, there is potential for other pollutants to be emitted in the hammermill during the shredding process. For example, the US EPA provides data for the speciation of fine particulates ($PM_{2.5}$) from auto body shredding which includes iron, lead, chromium, zinc, chlorine, copper and magnesium and manganese.

The AQA states that the Approved Methods toxic air pollutant criterion does not apply at the industrial estate which is untrue as the individual toxic air pollutant criteria applies at and beyond the boundary of a facility. The predicted iron oxide concentration from oxy cutting is above the EPA criterion at and beyond the boundary of the site.

EPA requires the Proponent to assess other pollutants apart from dust and odour which may be emitted from the hammermill to be included in the AQA. In addition, as discussed in **Point 2**, emissions from oxy cutting should be reviewed as the maximum impacts appear to be 200 m west of the source beyond the site boundary.

4. Dust and Odour

It is stated that the proposed increase in throughput capacity will result in decreased particulates emissions due to effective dust control measures and operational efficiencies yet no quantitative assessment of particulates from current operations has been conducted which would provide a means of objectively assessing the potential change in impact from existing site activities to the proposed expansion.

EPA notes that whilst there is likely to be improvements to dust emissions from vehicular traffic due to the sealing of the site and the redirection of traffic flow, the major source of dust emission is from the hammermill and the associated processes. There will be no change to the location and the operation of the hammermill as result of the proposed expansion apart from operating at a higher throughput.

The results of the modelling indicate that the worst predicted impacts are near the northwest corner of the site where the hammermill is located. The predicted 24-hour average PM10 criterion contour of 50 µg/m3 appears to extend approximately 200 m beyond the boundary to the surrounding industrial receptors to the north and west of the facility. Similarly, the maximum odour contours extend beyond the northwest boundary of the site.

EPA receives regular odour and dust complaints from neighbouring industrial facilities in the immediate vicinity to the Premises. With the proposal to significantly increase production on the Premises, this needs to be **comprehensively assessed**.

The neighbouring industrial receptors are a place of work and should be included in the AQA as sensitive receptors. EPA requires the Proponent to assess the existing and proposed impacts at the neighbouring industrial receptors as well as the residential receptors.

Should there be any predicted exceedances of the EPA impact assessment criteria, a mitigation study needs to be conducted on all existing and proposed emission sources including fugitive emission sources. Any existing and proposed mitigation measures should be benchmarked against industry best practice.

5. Best Practice

A letter was provided by the designers of the hammermill, Danieli UK Holding Ltd, to state that the Water Injection System and acoustic enclosure is considered to be an improvement from the previous operations at the site.

EPA considers key performance indicators to determine the effectiveness of control measures are an integral component of managing emissions from activities at an industrial site. The development and implementation of an Air Quality Management Plan can assist industries in setting key performance indicators and manage air quality impacts. EPA requires the Proponent to prepare a comprehensive best practice Air Quality Management Plan (AQMP) for the project. The AQMP may include but is not limited to:

- Identification of all emission sources on the site including fugitive emission sources.
- Identification of key performance indicators for the site.
- Bench mark of all air quality mitigation measures on site with industry best practice.
- Detailed procedures for the implementation of all air quality mitigation measures on site including the personnel responsible.
- Comprehensive decommissioning procedures for vehicles to ensure no fuel or oils are left prior to the hammermill.
- Records of any air quality events (e.g. odour and/or smoke complaints) and the type of feed being processed at the time of the event.
- Regular review of mitigation measures on site based on the record of air quality events and evaluation of additional mitigation measures if necessary.