



Our reference: DOC17/492572

The Director Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Sheelagh Laguna

EMAIL
13 October 2016

Dear Ms Laguna

EPA comments - Development Application SSD 8200
Proposed St Marys Resource Recovery Facility at 21 & 25 Dunheved Circuits

I refer to your letter to the Environment Protection Authority (**EPA**) dated 11 September 2017 requesting comments and consent conditions regarding Development Application SSD 8200 (**the Proposal**) that is currently being assessed by the Department of Planning and Environment (**Planning**) as a State Significant Development.

The EPA understands the Proposal was publicly exhibited from Wednesday 13 September 2017 through to Friday 13 October 2017.

At this stage, the EPA requires more information before it can recommend Planning approve the Proposal. In particular, the EPA would like to request further information in regards to the management of non-conforming waste, dust, stormwater, chemical storage and construction hours.

The EPA's detailed comments are provided in Attachment A.

Please note that the EPA has not reviewed any matters relating to Aboriginal heritage or ecological impacts as these are the purview of the Office of Environment and Heritage. If you have any questions in relation to this matter, please contact me on (02) 9995 6230 or Josie Burstal on (02) 9995 5324.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CF', with a stylized flourish extending from the end.

Celeste Forestal
Unit Head Waste Compliance
Environment Protection Authority

Encl. Attachment A – EPA Comments

ATTACHMENT A

The Proposal

An Environmental Impact Statement (**EIS**) has been prepared by Arcadis Australia on behalf of Bingo Recycling in support of the State Significant Development Application for the extension of an existing resource recovery facility (**RRF**) at 25 Dunheved Circuit, St Marys onto the neighbouring property of 21 Dunheved Circuit (**the Proposal**).

The extended RRF proposes to receive and process up to 350,000 tonnes per year of non-putrescible general solid waste from a variety of sources, including construction and demolition wastes such as concrete, soil, timber and brick, and certain commercial and industrial wastes. The waste is proposed to be processed using the existing plant and equipment at 25 Dunheved Circuit, namely loaders and excavators, finger and double deck screens, magnets, picking stations, de-stoners and conveyer belts. Up to 20,000 tonnes of waste is proposed be stockpiled on the Premises at any time.

St Marys Recycling Pty Ltd currently holds EPL 20621 (**the Licence**) for 25 Dunheved Circuit. The Licence permits resource recovery, waste processing (non-thermal treatment) and waste storage of up to 5,000 tonnes of waste at any one time. The EPA notes that the Licence would need to be varied if the Proposal is approved by Planning. At this stage the EPA requires more information before it can recommend that Planning approve the Proposal.

EIS on public consultation

The EPA understands the Proposal was publicly exhibited from Wednesday 13 September 2017 through to Friday 13 October 2017 and that Planning has requested EPA comments and approvals.

EPA Comments

The EPA has reviewed the EIS and associated documents listed on Planning's website and considers that the EIS in its current form is **NOT** adequate and that Planning should **NOT** approve the Proposal until the Proponent clarifies a number of matters, including the impacts to air quality and water quality, and the control measures to manage these impacts. These matters are explained in further detail below. In summary, the EPA believes the Proponent has not clearly demonstrated that it will be able to adequately control its environmental impacts.

1. Management of non-conforming waste

Section 4.4.5 of the EIS states that trucks will be pre-screened at the entry weighbridge to detect non-conforming waste, and that trucks with non-conforming loads will be directed offsite. The EIS fails to explain how pre-screening will be carried out (for example, will it be carried out by site personnel or through CCTV), and whether pre-screening will be carried out for every truck or at random. Sections 4.4.5 and 12.4.2 state that waste will also be inspected once it has been tipped. Waste is proposed to be spread to a depth of 10cm and visually inspected by either site personnel or by CCTV. The EPA does not consider CCTV to be an appropriate method for identifying hidden contaminants within waste loads. The EPA notes that up to 4,932 tonnes of waste is proposed to be stored on the tipping floor, and that the facility would have to carefully manage this so that enough room is maintained for the effective spreading and inspection of newly tipped waste loads.

The EIS fails to describe how all non-conforming waste found on the tipping floor will be managed. The EIS states that unanticipated putrescible waste will be stored in vermin-proof containers, but the EPA notes that there are many other types of non-conforming waste for which this method may not necessarily be suitable, including asbestos, batteries and other hazardous wastes. The EPA requires the Proponent to describe in

detail how other types of non-conforming waste will be handled, stored and disposed of. This should include consideration of how WasteLocate requirements will be complied with in the event of asbestos being found.

2. Air quality impacts and their mitigation

The Air Quality Impact Assessment (Appendix P to the EIS) found that several receivers would experience air quality impacts as a result of the Proposal operating, namely that:

- Cumulative 24-hour average and annual average PM₁₀ concentrations would exceed criteria at one adjacent industrial receiver (I3) by up to 2.7 µg/m³
- Cumulative 24-hour average PM_{2.5} concentrations would exceed criteria at one adjacent industrial receiver (I3) by 1.2 µg/m³
- Cumulative annual average PM_{2.5} concentrations would exceed criteria at all four adjacent industrial receivers (I1, I2, I3 and I4) by up to 3 µg/m³

Section 11.3.2 of the EIS states that these exceedances are not significant because industrial receivers are not considered to be sensitive receptors. The Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2016) defines a sensitive receptor as being “a location where people are likely to work or reside”. The industrial receivers around the Proposal are places where people are likely to work, and the EPA therefore considers them be sensitive receptors.

Section 11.3.2 of the EIS and Appendix P state that the proposed emission controls will decrease PM₁₀ emissions by 65% and PM_{2.5} emissions by 40%. The EIS fails to clearly identify whether the modelling results for PM₁₀ and PM_{2.5} concentrations took the effects of proposed emission controls into account or not. If the modelling results did not account for the effects of emission controls, the EPA requires the Proponent to explain whether PM₁₀ and PM_{2.5} concentrations would still exceed the criteria once the controls are implemented. If the modelling results did account for the effects of emission controls, the EPA requires the Proponent to identify additional dust mitigation measures that will be implemented to achieve compliance with the emission criteria.

The EPA notes that the Proposal does not appear to include a dust extraction system in the building or a dust suppression drench at the tipping area, and that these controls could potentially reduce emissions further if they were added to the Proposal.

3. Water quality impacts and their mitigation

The Water and Hydrology Impact Assessment (Appendix N to the EIS) identified that the key pollutants likely to be generated at the Proposal site under current arrangements are gross pollutants, coarse sediment, suspended solids and free oils. The EPA notes that this assessment of pollutants is highly dependent upon the Proponent maintaining a high standard of housekeeping around the Premises, both inside and outside the building.

The EPA also notes that the impact assessment fails to identify discharge concentrations of key pollutants, including nitrogen, phosphorus and total suspended solids. At a minimum, the EPA expects the Proponent to quantify the discharge concentrations of key pollutants, compare their discharge concentrations against the relevant ANZECC trigger values, and assess their impacts on the environmental values of the receiving waterways.

The Proposal fails to satisfy the requirement to demonstrate effective capture and treatment of all water at the Premises. Section 9.3.2 of the EIS states that only 1.7ML of water is captured each year, and that 5.5ML of water runs off the Premises to the drainage system.

Various sections of the EIS identify a number of water quality controls that will be installed, including rainwater tanks, onsite detention (OSD) tanks, bioretention basins, pit baskets, storm-filter cartridges, gross pollutant traps and a filtration device equivalent to a SPEL Bayfilter. It is not clear which of these controls will be

implemented, as different commitments are made in different sections of the EIS. For example, Section 4.2.7 of the EIS states that stormwater will be captured in four OSD tanks, and these tanks are shown on the site layout diagram (Figure 1-1) and the stormwater drainage plan (Appendix G). However, Section 9.4, Table 17-1 and Appendix N make no mention of the OSD tanks and state instead that stormwater will be managed through a filtration device, gross pollutant traps, pit inserts, bioretention basins and storm-filters. These controls are not shown on the site layout diagram, or on the stormwater drainage plan.

The EIS also fails to clearly explain a number of other key components of the Proposal's stormwater management strategy, including:

- The direction of drainage flow across the entire Premises including surface flows
- The location of each control
- How water flows from one control to the next
- The capacity of the rainwater tank and the bioretention basins
- Whether the OSD tanks will be used for roof water or surface water
- How water will get into the OSD tanks
- Whether water from the OSD tanks is planned to be re-used;
 - If so, what the water will be re-used for
 - If not, where the water will discharge to
- In relation to water from the parts of the roof that don't drain to the rainwater tank; where it goes, and how it gets there
- Whether clean surface water flows will be separated from water flowing off the exterior haul roads
- An assessment of pollutant loads from the exterior haul roads
- A demonstration that stormwater treatment controls are appropriately sized to handle the pollutant load

The EPA requires the Proponent to provide a schematic diagram indicating the locations of each stormwater control and the direction of roof water, surface water and underground stormwater flows across the entire Premises (not just 21 Dunheved Circuit).

4. Noise impacts and mitigation

The EIS proposes 24-hour operation of the RRF, including deliveries, from Monday to Saturday. It is not clear from the EIS which route heavy vehicles would take when driving to and from the Proposal site. Figure 4-7 in the EIS indicates that trucks would travel via Christie St and Werrington Road, but Figure 2-4 in Appendix M indicates that trucks would travel via Forrester Road and Glossop St. The EPA notes that assessment of road traffic impacts were only conducted for the Forrester Rd - Glossop St route.

The EPA is concerned about the noise impacts from trucks driving past the adjacent residential neighbourhoods on their way to and from the Premises during the night-time period. The NSW Industrial Noise Policy defines the night-time period as being from 10pm to 7am. The EPA requires the Proponent to specify which truck route will be taken and to provide a more detailed traffic impact assessment that considers traffic noise in the night-time period.

5. Fuel and chemical storage

The Proposal identifies three chemical storage areas; a 30,000L fuel tank, a chemical storage cage, and a LPG storage area. No detailed diagrams of the chemical storage areas were provided, and it is not clear from the EIS what kind of control measures will be in place to prevent water pollution from chemical spills. For example, it was not clear:

- How big the largest chemical container stored in each chemical storage area will be
- Whether the chemical storage cage and LPG storage area will be covered and bunded like the refuelling area
- The capacity of the bunding around each chemical storage area, and whether this is an appropriate size for the volume of chemicals stored there

- How the floors of chemical storage areas will be sealed to contain liquids, and where spilt liquids will drain to and collect
- How the plant refuelling area will be constructed to resist damage from vehicle impact
- Whether the refuelling area will also be used for washing down trucks and equipment
- Whether the largest plant to be refuelled will fit within the covered and bunded area around the refuelling tank

6. *Hours of construction*

Section 4.3.2 of the EIS states that construction work would primarily be undertaken from 7am to 6pm on Monday to Friday and from 8am to 1pm on Saturdays, but that minor construction activities may be conducted outside these hours in some instances. The EIS doesn't adequately explain the frequency or duration of these works, nor does it justify why additional work outside standard construction hours is required.