



Our Reference: DOC18/126455
Your Ref. SSD 8900

Ms. Chloe Dunlop
Senior Planner – Industry Assessments
NSW Department of Planning and Environment
by email: chloe.dunlop@planning.nsw.gov.au

Dear Ms Dunlop

Nulon Motor Oils Facility, Bringelly Road Business Hub (SSD 8900)

The NSW Environment Protection Authority ("EPA") acknowledge the NSW Department of Planning and Environment's ("DPE") request for comment on the proposed development of the Nulon Motor Oils Warehouse.

The EPA has reviewed the document titled Environment Impact Statement ("EIS") prepared by Ethos Urban and dated 18 January 2018. Based on the information provided, the EPA is unable to complete a full assessment of this application.

The EPA has outlined areas where analysis in the EIS is limited in Attachment 1. For the EPA to assess the environment impact of the proposed development, the proponent will need to provide the information identified in Attachment 1.

Please contact Tenille Lawrence on (02) 9995 6207 if you require any further information regarding this matter.

Yours sincerely

Erin Barker 7/3/2018

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ATTACHMENT 1

Section 1. Licensing requirements

Section 45 of the *Protection of the Environment Operations Act 1997* ("POEO Act") outlines the matters to be taken into consideration when licensing an activity. The Environmental Impact Statement ("EIS") has not adequately addressed the requirements of section 45.

As noted in the EPA's response to the Secretary's Environmental Assessment Requirements provided to DPE on 28 November 2017, and based on the information submitted, the proposed development will meet the thresholds of a scheduled activity under the POEO Act. The proposed development also meets the definition of Scheduled Development Work and the requirements of Part 3.2 of the POEO Act will apply.

An Environment Protection Licence will be required during the construction and operational phase of the proposed development.

Required information:

For the EPA to assess the environment impact of the proposed development, the proponent will need to nominate the production capacity or expected annual throughput for the proposed development.

Section 2. The Proposal and the Premises

It is acknowledged that the EIS includes a Process Diagram (Appendix U). However, the Process Diagram presented does not show the relationship between process units.

Required information:

The Process Diagram needs to show the relationship between the process units, specifically, the capacities of tanks and the relationships with blenders, heaters, atmospheric discharge points, valves, isolation valves, shut off valves, vents, drains, relief or safety valves.

The Process Diagram or a separate plant layout should also specify the areas designated for dangerous goods storage and the proposed segregation areas.

The Proponent will need to outline the proposed methods to mitigate any unexpected environmental impacts of the development, especially in relation to pollution control, any potential modification or augmentation of these controls to manage increased production at the facility.

Section 3. Air issues

It is recognised that an air quality impact assessment (AQIA) was submitted with the EIS however, given the type and quantity of pollutants described, the level of assessment is not adequately detailed.

Required information:

For the EPA to assess the environment impact of the proposed development, the AQIA will need to be amended to reflect the following:

- describe the constituent components of the raw materials. It is not sufficient to describe the constituent components as "aromatics"

- ensure the impact assessment criteria associated with any components listed within the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales 2016* ("**Approved Methods**") including, but not limited to hydrogen chloride and glycols, have been considered
- describe processes that could result in air emissions, such as working or operating losses. It is noted that the AQIA has neither nominated operating and upper process temperatures limits or material volumetric flows
- assess and characterise the level and intensity of any odour emissions in accordance with section 7.4 of the *Approved Methods*
- be presented in accordance with section 7.6 of the *Approved Methods*.
- consider the 'worst case' emission scenario and describe the expected impacts on surrounding receptors
- demonstrate the Proponent's ability to comply with the relevant regulatory framework noting:
 - Part 5.4 Air Pollution within the *Protection of the Environment Operations Act 1997*;
 - Part 5 definition of Volatile Organic Compounds (VOCs) and the section 66 definition of large tank vehicles within the *Protection of the Environment Operations (Clean Air) Regulation 2010*
- account for cumulative impacts associated with expansion of the facility in addition to the proposed emission sources
- detail emission control techniques/practices that will be employed by the proposal.

Section 4. Noise and vibration

The EPA notes that the Environment Management Plan (EMP) included within the EIS refers to legislation outside the NSW jurisdiction.

Required information:

For the EPA to assess the environment impact of the proposed development the following information will need to be updated:

- The EMP should reference appropriate NSW legislation; and
- The EMP must be updated in accordance with the Noise Impact Assessment Report (ref. 20171567.1/1701A/R2/BW) and the relevant guidelines including:
 - Interim Construction Noise Guideline (DECC, 2009)
 - Assessing Vibration: a technical guideline (DEC, 2006)
 - Noise Policy for Industry (EPA, 2017)
 - NSW Road Noise Policy (EPA, 2011).

Section 5. Waste, chemicals and Hazardous Materials

The quantity and type of liquid and/or non-liquid waste(s) generated, handled, processed or disposed of at the premises has not been sufficiently detailed.

Required information:

The waste produced onsite must be classified in accordance with the NSW EPA's *Waste Classification Guidelines 2014*.

For the EPA to assess the environment impact of the proposed development the details on the following will need to be provided:

- the transportation, assessment and handling of waste generated at the site;
- any on-site waste processing or waste treatment;

- the method for disposing of wastes or recovered materials at the facility;
- the emissions arising from the handling, storage, processing and reprocessing of waste at the facility;
- the proposed controls for managing the environmental impacts of these activities.

The EIS describes a storm-water isolation valve or containment valve. The Proponent is required to nominate the expected amount of firewater containment capacity available on the premises.

The EIS summarises a number of pre-emptive actions associated with identified hazards. It is noted that major storage areas will have containment systems in place. The Proponent is required to tabulate the identity and capacities of the process vessel as well as the catchment or contained volume available.