

General Terms of Approval - Issued



Notice No: 1540290

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Emma Barnet

Notice Number	1540290
File Number	EF14/29239
Date	25-May-2016

Re: Glendenning Liquid Waste Treatment Facility (SSD 6767)

Issued pursuant to Section 91A(2) Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information provided for the Glendenning Liquid Waste Treatment Facility (SSD 6767) received by the Environment Protection Authority (EPA) on 13 April 2016.

EPA has reviewed the information provided and has determined that it is able to issue a licence for the proposal, subject to a number of conditions. The applicant will need to make a separate application to EPA to obtain this licence.

The general terms of approval for this proposal are provided. If Department of Planning and Environment grants development consent for this proposal these conditions should be incorporated into the consent.

These general terms relate to the development as proposed in the documents and information currently provided to EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

In assessing the proposal EPA has also identified an environmental issue that Department of Environment and Planning may wish to consider in its overall assessment of the application, relating to conditions L5 and U1 in the attached document.

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The EPA is concerned as to whether the proposed Odour Control System (*FiltaCarb Vent Cube, Carbon Vapour Filtration, Model FCC150F*) will be adequate for the control of odours for the proposed activities at the premises. The EPA's experience with comparable activities is that other technologies, such as a caustic (wet) scrubber system, need to be installed to provide an effective and reliable Odour Control System. The activated carbon filter system may not be an appropriate odour control system for the size of the proposed liquid waste treatment facility. Conditions have been included in the general terms to ensure a suitable and efficient Odour Control System is installed for the proposed liquid waste treatment facility.

If you have any questions, or wish to discuss this matter further please contact Kiah Hunter on (02)9995-6585

Yours sincerely

A handwritten signature in black ink that reads 'MA Bowles'.

.....
Martin Bowles

Acting Unit Head

Hazardous Materials, Chemicals & Radiation

(by Delegation)

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Administrative conditions

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application SSD 6767 submitted to Department of Planning and Environment on 30 March 2016;
- any environmental impact statement *Environmental Impact Statement for Liquid Waste Facility and Depot at 14 Rayben Street, Glendenning (March 2016 Version 1.0)*, prepared by Duggan & Hede Pty Ltd relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including *EIS Figures, EIS Drawings* and *EIS Appendices 1 to 17*.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

Discharges to Air and Water and Applications to Land

P1. Location of monitoring/discharge points and areas

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

Air

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location
1	Discharge stack	Air emissions	Odour Control System for the Organic Waste Building

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Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

L2. Concentration limits

L2.1 For each discharge point or utilisation area specified in the table/s below, the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentrations limits specified for that pollutant in the table.

L2.2 To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.

POINT 1

Air

Pollutant	Units of measure	100% concentration limit
Odour	Odour Units (OU)	TBD

L3. Waste

L3.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

L3.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

L4. Noise

L4.1 All activities conducted at the premises must be in accordance with NSW EPA Industrial Noise Policy.

L5. Odour

L5.1 No condition of the licence identifies a potentially offensive odour for the purpose of section 129 of the Protection of the Environment Operations Act 1997.

Note: The POEO Act states that no offensive odour may be emitted from particular premises unless potentially offensive odours are identified in the licence and the odours are emitted in accordance with conditions specifically directed at minimising the odours are permitted.

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Operating conditions

01. Activities must be carried out in a competent manner

01.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

02. Maintenance of plant and equipment

02.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

03. Emergency Response

03.1 Within three (3) months from the issue of the licence, the licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO Regulations.

03.2 The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the PIRMP on the premises at all times. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.

04. Process and Management

04.1 The licensee must ensure that any liquid and/or non-liquid waste generated and/or stored and/or treated and/or processed and/or reprocessed at the premises as assessed and classified in accordance with the EPA Waste Classification Guideline as in force from time to time.

04.2 All receptacles containing material that is likely to cause environmental harm must be handled and stored on within the building and within bunded areas.

05.3 All liquid materials including chemicals, fuels, oils and waste materials must be stored in a designated impervious bund that contains 110% of the volume of the largest container and/or tank contained within the bund.

05.4 The bunded areas (floors and walls) must be impervious to the liquid(s) handled or stored in the bunded area. The bunded area(s) must also comply with the following requirements:

- a) The bund must not contain valves;
- b) All pipe work must go over bund walls, not through them;
- c) Hose couplings for filling/emptying containers/tanks must be located in the bunded area; and
- d) The bund floor must be graded to a blind sump located within the bunded area to facilitate removal of liquids.

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O5.5 All spillage(s) of materials arising from any activity on the premises which is likely to be a source of odour, dust or water pollution, must be contained, cleaned up, treated or disposed of as required to prevent such pollution.

O5.6 The licensee must ensure suitable measures (e.g. high/low alarm, control valves with interlock control, one way valves) are installed on all tanks, ponds, clarifiers and associated pipes and hoses to prevent spillage of waste.

O5.7 If waste is transported from the premises, the licensee must ensure that the waste is transported:

- a) By a transporter authorised to transport such wastes; and
- b) To a place that can lawfully accept the waste.

O6. Other operating conditions

O6.1 Any gaps/voids in external walls, roof structure and between external walls and roof must be effectively sealed to prevent fugitive odour emissions from the waste treatment building (known as the Organics Building).

O6.2 All external doors (roller shutter door and personnel door) of the waste treatment building must be kept closed at all times, except to allow ingress and egress of vehicles, materials and personnel.

O6.3 All point sources for odour emissions within the waste treatment building (e.g. waste receival/collection pit, DAF/waste treatment unit) must be effectively covered to contain and collect odours which must be ducted to the Odour Control System for treatment.

O6.4 The discharge from all vacuum pumps must be sent to the Odour Control System for treatment before discharging to the atmosphere.

O6.5 The floor of the waste treatment building must be cleaned as frequently as required to prevent odours and the tracking of waste and/or material onto trafficable areas outside of the waste treatment building.

O6.6 All waste vehicles must be effectively cleaned before leaving the waste treatment building to prevent:

- a) tracking of waste and/or material onto external trafficable areas;
- b) offensive odours whilst parked outside of the building or in transit.

Monitoring and recording conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

M1.2 All records required to be kept by the licence must be:

- c) in a legible form, or in a form that can readily be reduced to a legible form;
- d) kept for at least 4 years after the monitoring or event to which they relate took place; and
- e) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

- a) the time(s) at which the sample was collected;

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- b) the point at which the sample was taken; and
- c) the name of the person who collected the sample.

M2. Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/ discharge point or utilisation area specified below (by a point number), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

POINT 1

Air

Pollutant	Units of measure	Frequency	Sampling Method
Odour	OU	Post Commissioning	OM-7
Temperature	°C	Post Commissioning	TM-2
Velocity	m/s	Post Commissioning	TM-2
Volumetric flow rate	M ³ /s	Post Commissioning	TM-2

M4. Testing methods - concentration limits

M4.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with a relevant local calculation protocol must be done in accordance with:

- a) any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or
- b) if no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or
- c) if no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The Clean Air (Plant and Equipment) Regulation 1997 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".

M4. Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M4.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;

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- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5. Telephone complaints line

M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M5.3 Conditions M5.1 and M5.2 do not apply until three (3) months after the date of the issue of the licence.

Reporting conditions

R1. Annual Return documents

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

R1.2 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- g) Statement of Compliance; and
- h) Monitoring and Complaints Summary.

R1.3 An Annual Return must be prepared in respect of each reporting period, except as provided below

R1.4 Where this licence is transferred from the licensee to a new licensee,

- a) the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: *An application to transfer a licence must be made in the approved form for this purpose.*

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R1.5 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence – the date from which notice revoking the licence operates.

R1.6 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.7 The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2. Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

R2.1 Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3. Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

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- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General conditions

G1. Copy of licence kept at the premises

G1.1 A copy of the licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

Pollution Studies and Reduction Programs

U1. Post commissioning air emissions report

U1.1 A suitably efficient Odour Control System must be installed to the waste treatment building that reduces odour from the activities and eliminates any odour from leaving the premises boundary.

U1.2 By six (6) months from the date of issue of a Licence, the licensee must submit a written report to the EPA detailing the results of post commissioning source emissions sampling and analysis undertaken in accordance with the requirements specified in condition M2.1.

U1.3 The report must detail the odour mitigation efficiency of the Odour Control System and compare results of the post commission sampling with the emission estimation in the Air and Noise Assessment submitted with Development Application (SSD 6767) The measured odour concentration must demonstrate compliance with the ground level criteria in the Approved Methods for Modelling and Assessment of Air Pollutants in NSW.

Special Conditions

E1. Financial Assurance

E1.1 A financial assurance in the form of an unconditional and irrevocable guarantee from and Australian bank, building or credit union in favour of the EPA must be provided to the EPA.

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Note: The amount and due date of the financial assurance is to be negotiated between licensee and EPA and determined prior to issue of the licence.

E1.2 The financial assurance must contain a term that provides that any money claims can be paid to the EPA or, at the written direction of the EPA, to any other person.

E1.3 The financial assurance must be maintained during the operation of the facility and thereafter until such time as the EPA is satisfied the premises is environmentally secure.

E1.4 The financial assurance must be replenished by the full amount should the EPA have any reason to call up on the financial assurance or any part thereof to correct environmental problems which have not been remedied by the licence holder upon being given notice to do so.

E1.5 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.

E1.6 The licensee must provide to the EPA the original counterpart guarantee within five working days of the issue of the licence:

- i) the financial assurance required by condition E1.1; and
- j) the adjusted financial assurance as required by condition E1.5.

E2. Environmental Obligations of the Licensee

E2.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:

- a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents.
- b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
- c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.

E2.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purpose to which the licence relates) must:

- a) Make all efforts to contain all fire-water on the licensee's premises,
- b) Make all efforts to control air pollution from the licensee's premises,
- c) Make all efforts to contain discharge, spill or run-off from the licensee's premises,
- d) Make all efforts to prevent flood water entering the licensee's premises,
- e) Remediate and rehabilitate any exposed areas of soil and/or waste,
- f) Lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of,
- g) At the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises,
- h) At the request of the EPA monitor surface water leaving the licensee's premises; and
- i) Ensure the licensee's premises is secure.

E2.3 After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of the licence, that the licensee must:

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- a) Remove and lawfully dispose of all liquid and non-liquid waste(s) stored on the licensee's premises; and
- b) Rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.