



Our reference: DOC16/511461-01  
Your reference: SSD 7349

Kelly McNicol  
Team Leader – Waste  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

**ELECTRONIC MAIL & STANDARD POST**  
18 November 2016

Dear Mr McNicol

**EPA Comments - Development Application SSD 7349  
Revesby Resource Recovery Facility**

Thank you for your letter of 7 October 2016 inviting the Environment Protection Authority (**EPA**) to provide comments on the exhibited Development Application (**DA**) and Environmental Impact Statement (**EIS**) for the proposed expansion of the existing resource recovery facility located at 37-51 Violet Street, Revesby (Lots 168, 169 DP 7866 and Lot 2 DP 519053) (**the Premises**) to expand operations to 57 Violet Street, Revesby (Lot 1 DP 734866) (**the Project**).

**Review of Project Proposal**

As requested, the EPA has considered the EIS for the Project in relation to the environmental issues for which the EPA has primary legislative responsibility, being air, noise, surface water and waste management.

Please see Attachment A, outlining a background and recent history relating to the EPA's regulation of operations at the Premises and the EPA's assessment of the EIS, which includes general comments on the impact assessment and recommendations for consideration by the Department of Planning & Environment (**DPE**).

It is the EPA's view that the Project must be constructed and operated in accordance with best practice, which includes all scheduled activities and operations being conducted within a fully enclosed and sealed building. The EPA is not willing to consider the EIS in its current form.

Additionally, it is the EPA's expectation that it will be provided with a copy of any 'Response to Submissions Report' prepared for the Project and adequate opportunity for the EPA to provide further recommendations to the DPE in relation to the Project.

**Additional Information**

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.

Should you have any enquiries in relation to this matter please contact Ruth Owler on (02) 9995 6154.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Sheehy'.

21/11/2014

**GREG SHEEHY**  
**Director Waste Compliance**  
**Environment Protection Authority**

## Attachment A

### **Background**

Enviro Recycling Pty Ltd (**Enviro Recycling**) is the holder of Environment Protection Licence No. 20607 (**the Licence**) issued under the *Protection of the Environment Operations Act 1997 (POEO Act)* for waste storage and resource recovery activities at the Premises. The EPA are the appropriate authority for the regulation and administration of the Licence.

Since 13 August 2015 when Enviro Recycling commenced operations at the Premises, the EPA has received more than 50 complaints via its Environment Line in relation to dust emissions, sediment tracking, water pollution, noise and vibration. Enviro Recycling have been notified of the ongoing complaints and reminded to comply with the conditions of the Licence.

Following an inspection carried out by the EPA on 2 February 2016, the EPA wrote to Enviro Recycling on 4 February 2016 reminding the Licensee of the requirements to comply with Condition O3 of the Licence relating to dust and sediment tracking and to ensure that environmental due diligence is followed for all operations at the Premises.

On 30 May 2016, the EPA issued Enviro Recycling a Clean-Up Notice No. 1540623 for causing or permitting more than 10 tonnes of asbestos waste to be re-used or recycled and stockpiled at the Premises.

On 28 July 2016, the EPA issued three Official Cautions to Enviro Recycling for non-compliance with the Licence conditions being, the processing material outside of the building that is located on the Premises, the storage of materials within 3 metres of the boundary not within an approved storage bay and the exceeding of stockpile height limits.

On 12 October 2016, the EPA issued a Penalty Notice no. 3085780482 to Enviro Recycling for non-compliance with Condition 03.3 of the Licence for failure to ensure that sediment was tracked from the Premises.

On 24 October 2016, the EPA made observations from outside the Premises that sediment was being tracked onto the public road and scheduled activities were occurring outside of the Licence boundary.

On 4 November 2016, the EPA issued Enviro Recycling a Prevention Notice no. 1546062 requiring a range of preventative actions relating to the ongoing operations at the Licensed Premises, and to cease activities on the parcel of land subject to this planning matter, and to ensure that the management of dust, noise, water and sediment is carried out in an environmentally satisfactory manner.

On 10 November 2016 EPA authorised officers again observed processing activities occurring outside the enclosed building on the licensed premises, the volume of waste material stored on the parcel of land subject to this planning matter appeared to be over threshold to require an environment protection licence for the scheduled activity of waste storage, multiple machines were operating on the parcel of land subject to this planning matter, and dust was being generated from both premises.

On 17 November EPA authorised officers clearly observed waste processing activities occurring outside of the enclosed building in contravention of conditions of their Licence. There was also dust being generated from activities onsite and it was observed migrating outside of the premises boundary. Officers also observed that large shipping containers are now being filled with waste and are being placed along the eastern boundary and in a double layer on the Southern boundary of the parcel of land subject to this planning matter.

The EPA is currently considering further stronger regulatory action for ongoing breaches of the Licence conditions and alleged breaches of the Prevention Notice.



## **General Comments**

The Project proposes to receive and process up to 250,000 tonnes per year of commercial & industrial waste, construction and demolition waste, green waste, soils and timber. The waste is proposed to be processed by way of separating, mulching, blending and crushing. The waste is proposed to be stockpiled prior to and after processing.

The EPA notes that the EIS proposes that waste material recieval, processing and stockpiling operations are conducted in the open without the use of an enclosed building or shed to contain the environmental impacts.

The EPA is of the view that best practice is to contain these kinds of operations on hardstand within an enclosed, sealed building that effectively contains all particulate emmisions, odour emmisions and noise emmisions. Best practice would also require that all waste, inclusive of finished products, are stored within an enclosed building.

The Project is located in an area that the EPA has received ongoing complaints relating to environmental issues and considers that best practice must be followed for this proposal.

The EIS outlines the different end products to be sold under various NSW EPA Resource Recovery Orders and Exemptions. The EIS should outline how the finished products will be segregated, tested and list the resource recovery orders and exemptions that will need to met prior to that waste being supplied for land application.