

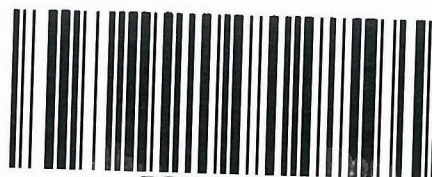


Office of
Environment
& Heritage



E-MAILED

17/8/11



PCU025154

Your reference:

Our reference:

Contact:

DOC11/34201; LIC07/628-09

Bill George, 4908 6821

Department of Planning and Infrastructure
Major Development Assessment
GPO Box 39
SYDNEY NSW 2001

Attention: Christine Chapman

Department of Planning
Received
19 AUG 2011
Scanning Room

17 AUG 2011

Dear Ms Chapman

TRANSPACIFIC LIQUID WASTE FACILITY (MP05_0037) – MODIFICATION 3: AMEND EMISSIONS AND MONITORING CONDITIONS

I refer to your letter received by the Office of Environment and Heritage (OEH) on 27 July 2011 seeking comment on the proposed modification to amend emission and monitoring conditions applicable to the Transpacific Refineries Pty Ltd (Transpacific) facility at Rutherford.

OEH has reviewed the proposed modification and provides the following comments:

Particulate concentration limit for discharge point 19

OEH has no objection to the proposed solid particle concentration limit at Point 19 (fired heater stack) increasing to 50 mg/m³. At this concentration solid particle emissions will remain within the regulatory limit prescribed by the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

Alignment of the approval with the Environment Protection Licence (EPL)

OEH recognises the difficulty of regulating development consent conditions that are associated with complex industries. As OEH is better placed in regulating monitoring and limit conditions through Environment Protection Licences, OEH has no objection to the alignment of the approval with the EPL in respect to monitoring and limit conditions.

Ambient dust monitoring and monthly measurement of groundwater levels

OEH does not require dust deposition monitoring as part of the EPL. Based on the report provided by the proponent, *"Ambient Dust Monitoring Report"*, dated May 2010, OEH has no objections to ambient dust monitoring being discontinued.

OEH requires the licensee to undertake groundwater monitoring at 6 locations for a range of hydrocarbons pollutants. It is also understood that groundwater levels are also provided as part of this monitoring program. Given the current EPL requirements for ongoing groundwater monitoring, OEH has no objections to proposed discontinuation of groundwater monitoring levels as required by the approval.

The Department of Environment, Climate Change and Water is now known as the
Office of Environment and Heritage, Department of Premier and Cabinet

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If you require any further information please contact Bill George on (02) 49 086821.

Yours sincerely



KAREN MARLER
Head Regional Operations Unit - Hunter
Environment Protection and Regulation
Office of Environment and Heritage
Department of Premier and Cabinet