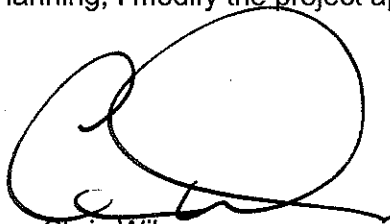


# Notice of Modification

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the project approval in Schedule 1 as set out in Schedule 2.



Chris Wilson  
Executive Director  
Major Project Assessment

Sydney 16 February

2009

File No: 9042166 - 3

## SCHEDULE 1

|                                  |  |
|----------------------------------|--|
| <b>Project Approval:</b>         | Granted by the Minister for Planning on 12 August 2006 and subsequently modified on 9 January 2007.  |
| <b>In respect of:</b>            | Project application 06_0028 made by Orica Australia Pty Ltd, in relation to land described as Lot 11 DP1039919, in the Botany local government area. |
| <b>For the following:</b>        | Hexachlorobenzene (HCB) waste repackaging plant.   |
| <b>Modification Application:</b> | Modification (06_0028 Mod 2) of the project approval to rectify inconsistencies with the Environment Protection Licence (EPL 2148).                  |

## SCHEDULE 2

The project approval is modified by:

1. replacing existing condition 2.5 with new condition 2.5 as follows:

- 2.5 For the purposes of this approval, air monitoring/ air discharge points shall be identified as provided in Table 1 below.

**Table 1 - Identification of Air Monitoring and Discharge Points**

| EPL 2148 ID Number | Type of Discharge Point | Description of Location   |
|--------------------|-------------------------|---|
| 26                 | Discharge to air        | Common stack from building housing repackaging plant and new store J  |
| 27                 | Discharge to air        | Stack from temporary enclosure of store H   |
| 28                 | Discharge to air        | Stack from temporary enclosure of store E   |
| 29                 | In pipe monitoring      | Store J interstage point between the two activated charcoal filters on extraction pipe 1  |
| 30                 | In pipe monitoring      | Store J interstage point between the two activated charcoal filters on extraction pipe 2  |
| 31                 | In pipe monitoring      | Store H interstage point between the two activated charcoal filters on the extraction pipe  |
| 32                 | In pipe monitoring      | Store E interstage point between the two activated charcoal filters on the extraction pipe  |
| 33                 | In pipe monitoring      | Store J interstage point between the two activated charcoal filters on extraction pipe. (Note – this is the same as Point 29)     |
| 34                 | In pipe monitoring      | Store J interstage point between the two activated charcoal filters on extraction pipe. (Note – this is the same as Point 30)     |
| 35                 | In pipe monitoring      | Store H interstage point between the two activated charcoal filters on the extraction pipe. (Note – this is the same as Point 31) |
| 36                 | In pipe monitoring      | Store E interstage point between the two activated charcoal filters on the extraction pipe. (Note – this is the same as Point 32) |

2. replacing existing condition 2.6 with new condition 2.6 as follows:

- 2.6 The Proponent shall design, construct, operate and maintain the project to ensure that for monitoring / discharge points 26 – 32, the concentration of each pollutant listed in Table 2 does not exceed the maximum concentration limit specified for that particular pollutant. For the purpose of monitoring and determining compliance with this condition, "dioxins and furans" shall be polychlorinated dibenzo-p-dioxins (PCDD) and polychlorinated dibenzofurans (PCDF), presented as 2,3,7,8-tetrachloro-dibenzo-p-dioxin (TCDD) equivalent and calculated in accordance with the procedures included in Part 4, clause 29 of the *Protection of the Environment Operations (Clean Air) Regulation 2002*.

**Table 2 - Maximum Allowable Discharge Concentration Limits (Air)**

| <b>EPL Identification Number</b> | <b>Pollutant</b>   | <b>Maximum Concentration Limit</b> |
|----------------------------------|--|------------------------------------|
| 26, 27, 28                       | Total solids   | 10 mgm <sup>-3</sup>               |
|                                  | Hazardous Substances (aggregate of Sb, As, Be, Cd, Cr, Co, Pb, Mn, Hg, Ni, Se, Sn and V) | 0.5 mgm <sup>-3</sup>              |
|                                  | Volatile Organic Compounds   | 10 mgm <sup>-3</sup>               |
|                                  | Cadmium  | 0.1 mgm <sup>-3</sup>              |
|                                  | Mercury  | 0.1 mgm <sup>-3</sup>              |
|                                  | HCB  | 0.002 mgm <sup>-3</sup>            |
|                                  | HCBD   | 0.21 mgm <sup>-3</sup>             |
|                                  | HCE  | 9.7 mgm <sup>-3</sup>              |
|                                  | Dioxins and furans   | 0.1 mgm <sup>-3</sup>              |
| 29                               | Tetrachloroethene (tetrachloroethylene)  | 340 mgm <sup>-3</sup>              |
| 30                               | Tetrachloroethene (tetrachloroethylene)  | 340 mgm <sup>-3</sup>              |
| 31                               | 1,2-Dichloroethane   | 40 mgm <sup>-3</sup>               |
| 32                               | Not yet determined   | Not yet determined                 |

**3. replacing existing condition 2.7 with new condition 2.7 as follows:**

2.7 The Proponent shall establish, in consultation with the DEC, a maximum break-through limit for volatile organic compounds for monitoring/ discharge points 29, 30, 31 and 32. For the purposes of monitoring volatile organic compounds, a suitable organic compound equivalent for volatile organic compounds shall also be determined. Reference conditions for the break-through limit shall be dry, 273 K and 101.3 kPa.

The break-through limit and nominated equivalent compound shall be submitted to the Director-General prior to the commencement of commissioning of the repackaging plant (Store J) or individual stores G/H and E and shall be accompanied by documentation demonstrating that the DEC is satisfied with the break-through limit and nominated equivalent compound.

**4. replacing existing condition 2.8 with new condition 2.8 as follows:**

2.8 If the break-through limit described in condition 2.7 at monitoring/ discharge point 29 or 30 is exceeded after completion of commissioning, the repackaging facility shall immediately shutdown. The Proponent shall only restart the repackaging facility after the carbon filter is replaced with a new activated carbon filter.

**5. replacing existing condition 2.9 with new condition 2.9 as follows:**

2.9 If the break-through limit described in condition 2.7 at monitoring/ discharge point 31 or 32 is exceeded after completion of commissioning, material transfer processes shall immediately shut down. The Proponent may only restart the material transfer processes after the carbon filter is replaced with a new activated carbon filter.

6. replacing existing condition 2.10 with new condition 2.10 as follows:

2.10 If any concentration limit described in condition 2.6 at monitoring/ discharge point 26, 27 or 28 is exceeded after completion of commissioning, the repackaging facility shall immediately shut down. The Proponent may only restart the repackaging facility after receiving written approval from the DEC.

7. replacing existing condition 3.1 with new condition 3.1 as follows:

3.1 The Proponent shall monitor the concentration of each pollutant specified by sampling and obtaining results by analysis. The Proponent shall use the sampling method, units of measure and sampling frequency as indicated in the following tables.

**Table 4 – Periodic Pollutant and Parameter Monitoring Points 26, 27 and 28**

| Pollutant/<br>Parameter       | Units of<br>Measure | Method       | Frequency            |
|-------------------------------|---------------------|--------------|----------------------|
| Total solids                  | mgm <sup>-3</sup>   | TM 15        | Special Frequency 14 |
| Hazardous<br>Substances       | mgm <sup>-3</sup>   | TM 12; TM 13 | Special Frequency 14 |
| Volatile Organic<br>Compounds | mgm <sup>-3</sup>   | TM 34        | Special Frequency 14 |
| Cadmium                       | mgm <sup>-3</sup>   | TM 14        | Special Frequency 14 |
| Mercury                       | mgm <sup>-3</sup>   | TM 14        | Special Frequency 14 |
| HCB                           | mgm <sup>-3</sup>   | TM 34        | Special Frequency 14 |
| HCBD                          | mgm <sup>-3</sup>   | TM 34        | Special Frequency 14 |
| HCE                           | mgm <sup>-3</sup>   | TM 34        | Special Frequency 14 |
| Dioxins and furans            | ngm <sup>-3</sup>   | TM 18        | Special Frequency 15 |

**Table 1 – Periodic Pollutant and Parameter Monitoring Points 29, 30, 31 and 32**

| Pollutant/<br>Parameter       | Units of<br>Measure | Method  | Frequency                         |
|-------------------------------|---------------------|---|-----------------------------------|
| Volatile Organic<br>Compounds | mgm <sup>-3</sup>   | CEM-8, CEM-9 or<br>CEM-10, or a<br>continuous<br>monitoring method<br>otherwise<br>approved by the<br>DEC | 2 times daily during<br>discharge |

**Table 2B – Periodic Pollutant and Parameter Monitoring Points 33,34,35,36**

| Pollutant/<br>Parameter       | Units of<br>Measure | Method | Frequency            |
|-------------------------------|---------------------|--------|----------------------|
| Volatile Organic<br>Compounds | mgm <sup>-3</sup>   | TM 34  | Special Frequency 14 |

8. replacing existing condition 3.2 with new condition 3.2 as follows:

3.2 For the purpose of condition 3.1 of this approval, special monitoring frequencies shall be defined as follows:

**Special Frequency 14**

- a) for Store J, this frequency is defined as monitoring every quarter;
- b) for Store E, this frequency is defined as monitoring on every fifth working day of operation for 28 and 32. Special Frequency 14 may be reviewed by the DEC from time to time based on the results of monitoring parameters for Store E; and
- c) for Store G & H, this frequency is defined as monitoring every quarter.

**Special Frequency 15**

- d) for Store J, this frequency is defined as monitoring once annually;
- e) for Store E, this frequency is defined as monitoring on every fifth working day of operation for 28, 32 and 36. Special Frequency 15 may be reviewed by the DEC from time to time based on the results of monitoring parameters for Store E; and
- f) for Store G & H, this frequency is defined as monitoring once annually.