



Our ref: DOC16/631557-14
Your ref: MP 06_0089 MOD 2

Ms Joanna Bakopanos
Team Leader - Industry Assessments
Department of Planning and Environment
Via email: pamela.morales@planning.nsw.gov.au

Attention: Ms Pamela Morales

Dear Ms Bakopanos

**Notice of Exhibition - Section 75W Modification
Vopak Bulk Liquids Storage Facility, Port Botany (MP 06_0089 MOD 2)**

I am writing in response to the Department of Planning and Environment (DPE)'s request dated 14 December 2016 seeking comment from the NSW Environment Protection Authority (EPA) regarding the above development consent modification application and Environmental Assessment (EA).

The EPA understands that the above modification application primarily relates to an increase in product throughput on the premises, and infrastructure changes in relation to this throughput.

The EPA has conducted a review of the EA to assist the DPE with its assessment of the proposal. At present, the EA does not provide enough information for the EPA to assess the environmental impacts of the proposal. The EPA therefore requests that the DPE seeks this information from the applicant. In summary, to complete its assessment of the proposal, the EPA requires the additional information:

- details of the proposed Vapour Recovery Unit and a clear demonstration that it will be able to serve the premises when operating at the maximum capacity sought in the 75W Modification,
- assessment of the increase in throughput at the gantry and the resulting emissions,
- investigation of potential reduction in benzene impacts,
- demonstration of compliance with the Clean Air Regulation and ground level criteria at the proposed maximum capacity,
- further information that addresses the operational risk of stormwater pollution on Elgas Road, and
- further information on any contamination on the premises and how unexpected finds will be managed.

The EPA's information requirements are more comprehensively set out in **Attachment A**.

It is the EPA's expectation to be provided with a copy of any 'Response to Submissions Report' prepared for the proposal, which should include the information requested by the EPA. The EPA also requests adequate opportunity to provide any further recommendations to the DPE in relation to the proposal upon receipt of the Response to Submissions Report.

Should you have any queries regarding this matter, please contact Laura Ansted on (02) 9995 6812.

Yours sincerely



21 February 2017

JAMES GOODWIN
Unit Head - Sydney Industry
NSW Environment Protection Authority

Attachment A: Additional information required

The EPA has reviewed the Environmental Assessment (EA) for the Section 75W modification application, MP 06_0089 Modification #2 for Vopak Terminals Sydney Pty Limited (Vopak)'s Site B Bulk Liquids Storage Terminal. This EA included the following documents*:

- Environmental Assessment: Section 75W Modification MP 06_0089 – Modification 2 Vopak Terminals Sydney Pty Ltd Site B Bulk Liquids Storage Terminals, PlanCom (23 Nov 2016), and appendices A to G, and
- NSW Ports Green Port Checklist for the proposal.

Following review of the above information, the EPA has determined that additional information is required to assess the environmental impacts of the proposal:

* Accessed on 14 December 2016 from

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7122

Air Quality - Recommendations from B4 Project

The EPA has reviewed the document titled “*Air Quality Impact Assessment, Vopak Terminal B4 - State Significant Development*” Revision 2 (AECOM, 27 May 2016).

The Air Quality Impact Assessment (“AQIA”) for the current proposed modification (Appendix G of the EA) is identical to the AQIA that was updated and revised for the Environmental Impact Statement under the “Vopak Site B4 Project” development application (DPE ref: SSD 7000).

As part of the Vopak Site B4 Project development application process, the EPA provided advice and recommendations regarding the AQIA and site air emissions. The EPA's recommendations can be summarised as:

- conduct a feasibility study to investigate benzene reductions at the entire Vopak site B complex,
- conduct a post-commissioning air quality report to characterise speciated VOC emissions from the site, and
- for any further air dispersion modelling in the future, robust methodology justification and validation should be included.

The EPA's recommendations are more comprehensively detailed at **Attachment B**. The EPA notes that any recommended benzene emissions reductions may influence the predicted impacts of benzene under the AQIA.

The DPE's Environmental Assessment Report for the Vopak Site B4 Project indicated that benzene impacts from the adjoining site B facility will be assessed as part of the current proposed modification application. These impacts are not assessed in the current proposed modification.

The EPA's recommendations in regards to this AQIA are relevant to the current proposal and have not been considered in the current modification application.

Air Quality – Assessment at proposed maximum capacity

The EPA cannot assess the current proposal's air emissions impacts due to insufficient information being provided regarding these impacts at the proposed maximum product throughput.

The EA states that the existing Vapour Recovery Unit (VRU) only has sufficient capacity to ensure compliance with the Protection of the Environment (Clean Air) Regulation 2010 ("the Clean Air Regulation") for the current number of loading bays and existing throughput (Section 5.2.5).

The EA then further states that *"to continue to ensure compliance with clause 64(2)(d)(ii) of the Clean Air Regulation under the scenarios envisaged in this EA, it may be required to increase the Vapour Recovery Capability prior to further substantial rise in throughput"*.

The AQIA submitted for the current proposal does not provide details of the proposed increase to Vapour Recovery Capability and does not identify when the current VRU will reach capacity before an upgrade will be required, so that compliance with the Clean Air Regulation is ensured.

The modelling completed in the AQIA appears to be modelled on gantry emissions from 3.5 tankers per hour (Section 5.5 of the AQIA). However, the Traffic Assessment (Section 6.2 of the EA) states that there would be an average of 11.7 tankers per hour and a peak of up to 20 tankers per hour at the proposed maximum capacity. The modelling completed therefore does not accurately predict emissions for the proposed maximum capacity.

The current information provided in the EA therefore does not demonstrate compliance with the Clean Air Regulation and ground level criteria.

Air Quality - Additional information required

Accordingly, to assess the environmental impacts of the proposed modification, the EPA requires:

1. Comprehensive details of the upgraded VRU that will be able to serve the proposed maximum capacity,
2. A feasibility study to investigate benzene reductions at the entire site B complex, and
3. A revised AQIA that includes:
 - the emissions and impacts at the proposed maximum capacity, and
 - an assessment of benzene impacts that takes into account proposed outcomes from the feasibility study for benzene reductions above.

Groundwater and land contamination

The EA notes at Section 6.5.1 that an environmental audit for contamination was undertaken on Part of Lot 1 DP 11009870 and Lot 2 DP 877387 and land remediation of the site was undertaken, with the undertaking consultant concluding that the site was suitable for leasing the site for industrial purposes. Suitability for leasing purposes is not a statement regarding the suitability for any proposed construction works.

The EA does not make reference or assessment to any contamination or lack thereof in the proposed easement ("Elgas road") at Lot 21 DP 1126332 and Lot 52 DP 1182618 and any subsequent implications on the environmental impacts of the proposed development. For example, it is not clear whether there is any interaction between the roadworks works proposed, or if the proposed works will have any impacts on the groundwater movement in the area.

Contamination - Additional information required

Accordingly, to assess the environmental impacts of the proposed modification, the EPA requires the EA to provide information on:

1. the land and water contamination environment for the entire premises including the proposed leaseholds,
2. any potential impacts as a result of the interaction between the proposed modification and any land or groundwater contamination in the area and how these have been avoided, mitigated or managed, and
3. a description of the potential impacts from any unexpected land and water contamination finds, and how these impacts will be avoided, mitigated, or managed.

Stormwater

The EA describes the new proposed leasehold “Elgas Road” as being largely unmonitored, due to the road tankers being empty (Section 6.5.3). The EA proposes that this area drains into the public stormwater drainage systems. Regardless of the tankers being empty, the idling and queuing of these vehicles represents an opportunity for pollutants (such as leaks and spills from oils and coolants) to enter the stormwater system. The EA does not appear to propose any mitigation or protection measures for this potential environmental impact.

The feasibility of risk mitigation measures for the prevention of stormwater pollution on Elgas Road should be discussed in the EA. These options should include diversion of the new roadway to the site’s existing stormwater treatment system and infrastructure, including any infrastructure or system changes necessary to ensure that this system can appropriately handle any additional loads placed upon it.

Stormwater – Additional information required

Accordingly, to assess the environmental impacts of the proposed modification, the EPA requires that the EA:

1. Addresses the operational risk of stormwater pollution on Elgas Road including what safeguards and management measures have been considered to mitigate, prevent, and/or manage this potential impact, and a discussion of how acceptable any residual impacts are.