

Our reference: SF16/21988
Licence No.: 12628

Chris Ritchie
Director Industry Assessment
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Ritchie

**Proposed Modification to Tox Free (formerly Chemsal) Waste Chemical Storage Facility
(MP06_0095 MOD3) St Marys, Penrith Local Government Area**

I refer to your letter dated 12 May 2016 and the supporting information titled 'Environmental Assessment MP 06_0095 MOD3, Modification to existing development consent for additional treatment technologies at 40 Christie Street, St Marys (Lot 431DP 854814) prepared for Tox Free Australia Pty Ltd by PEP Consulting, Level 1, 140 King Street Newcastle NSW 2300 found on the Department of Planning website.

The EPA has reviewed the information provided in your letter dated 12 May 2016 and on the Department of Planning's Website regarding this proposal. EPA's recommendations/comments regarding the proposed development, based on the information provided and obtained from the Department of Planning Website, are given in Attachment A.

The EPA advises that should approval for the Proposal be successfully obtained, the existing environment protection licence for the premises must be varied before the new operations can be commenced.

Should you have any enquiries regarding this matter please contact Jeevan Jacob of this office on (02) 9995 5902.

Yours sincerely



Martin Bowles
A/Manager Hazardous Materials Unit
Environment Protection Authority

Attachment A

Proposed Modification to Tox Free (formerly Chemsal) Waste Chemical Storage Facility (MP06_0095 MOD3), 40 Christie Street, St Marys

Background

Tox Free Australia Pty Ltd, currently operates a waste storage and treatment (no-thermal treatment) facility at 40 Christie Street, St Marys (environment protection licence No.12628). Current activities at the facility include a mercury lamp crushing unit, paint containers and aerosol cans crushing unit, and hazardous chemical waste storage and handling (decanting, consolidation). Some of the waste materials stored and handled at the premises are classified as dangerous goods under the Australian Dangerous Goods Code.

The facility used to treat certain hazardous waste under EPA's *Specific Immobilisation Approvals* ("SIA") however, the facility currently does not have a valid SIA. The facility's environment protection licence requires that hazardous or restricted non-liquid waste must only be treated under an immobilisation approval.

Tox Free Australia Pty Ltd at Christie Street St Marys proposes to install an acid alkali neutralisation plant, solidify liquid waste prior to disposal to landfill, and treat hazardous and restricted waste by Chemical Immobilisation and Stabilisation ("CIS") processes at the premises. The company also intends to increase the dangerous goods storage at the premises.

The current EPA position on non-liquid waste treatment is that the treatment must achieve any of the following:

- a. reduce the concentration of contaminant(s) in the waste by means other than dilution
- b. immobilise contaminant(s) in the waste in accordance with an SIA issued by the EPA
- c. satisfy specific standard/criteria approved by the EPA.

Solidification of liquid waste is not an acceptable treatment option for disposing of liquid waste.

EPA intends to require air emission control and monitoring requirements to be met by the proponent in relation to the waste acid alkali neutralisation plant. EPA considers that neutralisation of waste acids and waste alkalis have the potential to emit toxic air emissions.

Recommendations/Comments

1. Except as otherwise expressly provided in any other condition of the licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

Section 120 of the Protection of the Environment Operations Act 1997 prohibits the pollution of waters.

2. Section 129 of the Protection of the Environment Operations Act 1997 provides that the licensee must not cause or permit the emission of any offensive odour from the premises.
3. The proponent shall install appropriate air pollution control equipment and emission monitoring system to ensure that all air emissions from the waste acid alkali neutralisation plant is maintained at acceptable levels and these emissions are monitored correctly and regularly.
4. The proponent must ensure that the sampling position(s) for obtaining representative samples of the discharge to atmosphere from stack, duct or other similar outlet from the waste acid alkali

neutralisation plant must comply with the requirements of an 'ideal sampling position' of Australian Standard AS4323.1-1995.

5. Waste materials that are classified as dangerous good under the Australian Dangerous Goods Code as in force from time to time must be stored and handled in accordance with Storage and Handling of Workplace Dangerous Goods March 2001 National Code National Code of Practice [NOHSC:2017(2001)].
6. Stormwater from all areas of the premises which has the potential to mobilise sediments and other contaminated material must be controlled and diverted through appropriate erosion and sediment control/pollution control measures or structures.
7. Licensed activities must be carried out in a competent manner. This includes:
 - a. processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - b. treatment, storage, processing, transport and disposal of waste.
8. 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.
9. All waste received at the Premises and transported from the premises must be classified in accordance with the EPA's *Waste Classification Guidelines* as in force from time to time.
10. All operations and activities occurring at the Premises must be conducted in a manner that will not cause offensive noise.