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15 September 2011

Ms Felicity Greenway  
Manager – Industry  
Major Development Assessment  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Mr James Goodwin  
Unit Head, Metropolitan Regulatory Projects & Programs  
Environment Protection and Regulation  
Office of Environment and Heritage  
PO Box 668  
PARRAMATTA NSW 2124

Dear Ms Greenway and Mr Goodwin.

**Reference Number:** EN.1602.40-LT-075\_Rev1  
**Project File Ref:** 5.1 Sequence File; 9.1 Environmental – General  
**Subject:** Orica Car Park Waste Encapsulation Remediation (CPWE) –  
Storage of treated materials on Southlands

This letter is a revision of the original request for a modification to the CPWE Project Approval (No. 06\_0197), made on 27 May 2011. The Department of Planning and Infrastructure (DOPI) requested the revision to allow the *storage* rather than *reuse* of treated materials at Southlands. No other information has changed from the original modification request.

The modification was sought to permit the transfer of treated material from the CPWE to the area known as Southlands. An aerial view of the two project areas is presented in Attachment 1.

Orica is treating contaminated material from the CPWE using the Directly-heated Thermal Desorption (DTD) Plant. It is expected that approximately 60,000 m<sup>3</sup> of treated soil will be surplus to that required to reinstate the CPWE to natural ground level. Recently it has been determined that there is insufficient space on the Botany Industrial Park to cater for the excess material, due to the delays in the export of repackaged HCB waste. Under the existing Approval, the surplus material would need to be disposed of offsite at a facility licensed to receive the material.

Orica has identified the area known as Southlands on McPherson St, Banksmeadow, as a storage destination. The suitability of the proposal was presented to Craig Lamberton of the Office of Environment and Heritage (OEH) on 13 April 2011. This correspondence is included in Attachment 2. The OEH advised that they generally support the proposal and seek similar written advice from the accredited auditor on both Projects. A statement from Chris Jewell of C. M. Jewell & Associates (the approved auditor for both the CPWE and Southlands Projects) is provided in Attachment 3.

To gain approval for the activity, a modification to the Condition 7 of the CPWE Project Approval is required. The application form for the modification, as required under section 75W of the Environmental Planning and Assessment Act 1979, is provided in Attachment 4. The existing Condition, along with the suggested additional words (in bold) to permit the activity is provided below.

Approval 06\_0197 Condition 7:

*Nothing in this approval permits the disposal of surplus validated soil from the project outside land owned by Orica described in Schedule 1, or outside land owned by Orica within the Botany Industrial Park, except for disposal at a licensed landfilling facility that can lawfully receive the surplus validated soil **and the area known as Southlands - Lot 1 on DP 85542 Lot 11 on DP 109505, Lot 1 on DP 1078077 and Lot 1 on DP 254392.***

Table 1 outlines any new potential impacts of the storage of treated material on Southlands. Potential impacts previously assessed in the original Environmental Assessment have not been considered.

**Table 1: Potential impacts of the preferred option.**

Issue	Modification Assessment	Additional Mitigation Measures
Air Quality	The transport of treated materials to Southlands does not present any new potential air quality impact to the disposal of the material at a licensed third party facility.	None required
Human Health Impact Assessment	The material is to be treated to meet the Risk Based Site Criteria as already approved for the CPWE Project. Material validation remains as per original project plans.  The handling and transport of material does not present any new potential impacts from those already assessed.	None required
Hydrology and Surface Water	The proposed changes present no new impacts on hydrology or surface waters.	None required.
Geology, Hydrogeology and Soil	The proposed changes present no new impacts on geology, hydrogeology and soil.	None required.
Waste Management	The proposed changes present no new waste streams.	None required.

<b>Issue</b>	<b>Modification Assessment</b>	<b>Additional Mitigation Measures</b>
Noise and Vibration	<p>All plant and machinery required for the loading of materials is required to operate within the existing noise limits set for the CPWE Project.</p> <p>Truck movements and the associated noise emissions already exist under the scenario of transport to a licensed third party.</p> <p>The proposed changes present no significant new impacts from noise and vibration.</p>	None required.
Traffic and Transport	<p>Truck movements already exist under the scenario of transport to a licensed third party.</p> <p>The transport of material to Southlands requires a significant decrease in distance required (and road use) for the storage of material.</p>	None required.
Visual Amenity	The proposed changes present no new impacts on visual amenity.	None required.
Cultural Heritage	The proposed changes present no new impacts on cultural heritage.	None required.
Flora & Fauna	The proposed changes present no new impacts on flora and fauna.	None required.
Cumulative Impacts	The transport of the material to Southlands presents no greater impact than the disposal to an external third party. The cumulative impact remains as previously assessed.	None required.

Orica acknowledges that the community takes significant interest in the CPWE Remediation. The proposal was presented to the Community Participation and Review Committee (CPRC) at the May 2011 meeting to which no objections were raised. Presentation and minutes of the meeting will be posted on the Orica Botany Transformation Projects website once formalised, refer <http://www.oricabotanytransformation.com/>. Both the Project Approval and EPL require Orica to provide regular updates to the authorities through various reporting requirements.

Should you have any queries in relation to the request please do not hesitate to contact me.

Kind regards,



**Des Low**  
**Environmental Compliance Officer**

**Copy (email):** Emma Barnet (DoP)  
Bill Crowe (Orica)  
Peter O'Dea (Orica)  
Colin Wiley (Orica)  
Graeme Richardson (Orica)  
Steve Corish (Orica)

**Attach.:**  
Attachment 1: Aerial view of the CPWE Remediation and Southlands areas  
Attachment 2: Correspondence to OEH's Craig Lamberton, dated 13 April 2011  
Attachment 3: Site Auditor statement, dated 17 May 2011.  
Attachment 4: Application form: *Request to modify a major project* as required under section 75W of the EP&A Act 1979.



**Attachment 1: Aerial view of the Southlands area, CPWE Remediation Project and the Botany Industrial Park.**



