



Our reference: DOC14/6502-01

Mr Andrew Hartcher
NSW Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

EMAIL AND STANDARD POST
17 February 2014

Dear Mr Hartcher

**Woodlawn Alternative Waste Technology Project (MP 06_0239) – Proposed Modification
Site Layout and Processing Technology (MOD 1)**

Reference is made to the Department of Planning and Infrastructure's ("DoPI") letter to the Environment Protection Authority ("EPA") dated 16 December 2013 regarding the above matter.

The EPA has reviewed the Environmental Assessment provided with the letter and makes the following comments.

Waste Management

The EPA notes that the Proponent is seeking to modify the approved site access arrangements to the development and, specifically, intends on utilising the existing entrance and weighbridge facilities for the Woodlawn Bioreactor (Environment Protection Licence 14436) to receive and record waste destined for the AWT facility.

The *Protection of the Environment (Operations) Act 1997* ("the POEO Act") and the *Protection of the Environment Operations (Waste) Regulation 2005* ("the Regulations") set out specific requirements for recording waste received at waste facilities. Whilst it may be possible to meet these requirements using a single weighbridge for both the Bioreactor and the proposed AWT facility, the exact details of how this will be achieved are unclear.

Should the proposed modifications be approved, it is recommended that the following condition be included in the modified approval:

"The Proponent shall prepare and implement a Waste Receipt and Vehicle Flow Control Plan to the satisfaction of the EPA. This plan must be submitted to the EPA for approval prior to construction, and include details of the infrastructure, and the systems and procedures, that will be used to ensure compliance with the requirements of Section 88 of the Protection of the Environment Operations Act 1997 and clauses 12 and 15 of the Protection of the Environment (Waste) Regulation 2005. The plan must also show all vehicle entry and exit points, including emergency exits, where waste is transported into, out of, and between (a) the Site and (b) the adjoining Woodlawn Bioreactor facility."

Odour

The EPA notes that Condition 22 of the existing Project Approval states:

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“The Proponent shall not cause or permit the emission of offensive odours at any residence on privately owned land.”

This condition is inconsistent with Section 129 of the POEO Act, which states that:

“the occupier of any premises at which Schedule Activities are carried on under the authority conferred by an environmental protection licence must not cause or permit the emission of any offensive odour from the premises to which the licence applies”.

The Environmental Assessment demonstrates that the adopted odour criteria of 6 OU will be achieved at all of the offsite receptors modelled, with the exception of the TriAusMin Administration building which is predicted to experience a 99th percentile odour concentration of 8.5 OU. Whilst it is noted that this concentration is predicted to be dominated by the existing source of the Bioreactor, rather than the operation of the AWT facility, the cumulative impacts are of concern and the EPA considers that it would be prudent to require the Proponent to implement an odour management and mitigation strategy that will ensure compliance with Section 129 of the POEO Act.

We understand that the Proponent has an agreement with TriAusMin which acknowledges the industrial nature of both operations, and therefore the potential for the respective activities to cause impacts. It should be noted that such an agreement would not override the Proponent's responsibility to comply fully with Section 129 of the POEO Act and would not be taken into consideration by the EPA in the event of an offensive odour incident.

Outputs

The EPA notes that the Proponent is seeking to modify Condition 4 of Schedule 3 of the Project Approval. The EPA agrees with the proposed modification to this condition which requires that compost outputs must be disposed to the Woodlawn Landfill void unless they are approved for use under the POEO Act and Regulations.

The Proponent has qualified this on page 47 of the EA by stating:

“The use of the compost output products are detailed in the General and Site Specific Resource Recovery Exemptions, which specify the physical and chemical criteria for application.”

It is important to note that General and Specific Resource Recovery Exemptions are subject to change and that the Proponent will need to ensure that any compost output products that are not disposed of to the Woodlawn Landfill void comply with whatever exemptions are in force at the time that the compost is produced.

The EPA also advises that “industrial waste” is no longer used to define waste under the POEO Act and recommends that the reference to industrial waste in Condition 4 of Schedule 3 be changed to read “Restricted Solid Waste” to ensure consistency with the Act as it currently stands.

If you have any questions in relation to this matter, please contact Nick Feneley on (02) 4224 4144.

Yours sincerely



CATE WOODS
Unit Head - Waste Operations
Environment Protection Authority