



DOC20/407770

Ms Rose-Anne Hawkeswood
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Hawkeswood

Port Kembla Lateral Pipeline - SSI 9973 – MOD 1 – Response to Exhibition

I am writing in response to your email and attached Modification Report dated 21 May 2020 inviting the Environment Protection Authority (EPA) to lodge a submission during the exhibition period for the above project.

This proposed modification involves a 5.6 kilometre gas pipeline and associated infrastructure between Kembla Grange and the infrastructure associated with the recently approved AIE project (Port Kembla Gas Terminal). This new section will be a duplication of the existing pipeline, largely following the same route. The EPA will not regulate the pipeline construction or operation. A licence to construct, operate and maintain a pipeline is required under the *Pipelines Act 1967* (NSW). The Eastern Gas Pipeline currently holds a licence issued by the Minister for Energy in 1997 (number 26). The Port Kembla Gas Terminal is a separate premises and will be regulated by the EPA and required to hold an Environment Protection Licence.

In consideration of this regulatory position, EPA provides the attached recommended conditions for your consideration in any approval.

If you have any questions regarding the above, please phone Greg Newman on (02) 4224 4100.

Yours sincerely

William Dove 29.05.2020

WILLIAM DOVE
Unit Head Regulation - Illawarra
Environment Protection Authority

Attachment: EPA Recommended Conditions of Approval

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Protection of the Environment Operations (POEO) Act 1997

1. The Proponent must ensure all activities are undertaken in compliance with the *Protection of the Environment Operations (POEO) Act 1997* and any associated Regulations.

Pollution of waters

2. Except as may be expressly provided in an Environment Protection Licence, the Proponent must comply with Section 120 of the POEO Act 1997.

Soil erosion

3. The Proponent must minimise any soil erosion associated with the construction of the development in accordance with the relevant requirements in the Managing Urban Stormwater: Soils and Construction (Landcom, 2004) guidelines, or its latest version, including Volume 2A, Installation of services.

Waste

4. All land based waste (including surface waters from disturbed contaminated soils), excavation and fill materials, whether imported or generated on site, shall be assessed, classified, managed and disposed of in accordance with the *Waste Classification Guidelines* (EPA, 2014) or any future guideline that may supersede that document.
5. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.

Contamination

6. The Proponent must consider the requirements of and their responsibilities for contamination under the *Contaminated Land Management Act 1997* (the CLM Act) during the proposed works.
7. The Proponent must ensure the proposed development does not:
 - result in a change of risk in relation to any pre-existing contamination on the site so as to result in significant contamination.
 - result in release of pollution on the site.
8. The Proponent must ensure that any contamination identified as meeting the trigger in the EPA 'Guidelines for the Duty to Report Contamination' is notified (or re-notified) in accordance with requirements of section 60 of the *Contaminated Land Management Act 1997*.
9. The Proponent must develop and implement an "unexpected finds protocol" for the pipeline route. The protocol must consider potential contamination in soil and fill, encountered in the construction footprint.

Acid Sulfate Soils

10. The Proponent shall ensure that any construction activities in identified areas of acid sulfate soil risk are undertaken in accordance with *Acid Sulfate Soil Manual* (Acid Sulfate Soil Management Advisory Committee, 1998).

Air Quality - Dust

11. The construction areas must be maintained in a condition that minimises and/or prevents the emission of dust from the premises at all times.
12. All activities occurring during the construction phase must be carried out in manner that will minimise the generation or emission from the premises of wind blown or traffic generated dust.

Noise

13. Construction activities must be considered against the *EPA Interim Construction Noise Guideline* (DECC 2009).
14. Construction work must be limited to standard construction hours as per the *EPA Interim Construction Noise Guidelines* unless the Proponent can provide justification as specified in the Guidelines.