



DOC20/512671-1

Ms Susan Fox  
Industry Assessments  
Department of Planning, Industry and Environment  
PARRAMATTA NSW 2124

Via Major Projects Portal

Dear Ms Fox,

**Request for input to the Secretary's Environmental Assessment Requirements (SEARs)  
St Marys Resource Recovery Facility (Borg) (SSD-10474) (Penrith)**

I refer to the request for the NSW Environment Protection Authority's (EPA) input to the Secretary's Environmental Assessment Requirements (SEARs) for a Resource Recovery Facility at 25 Dunheved Circuit St Marys (SSD-10474).

The EPA understands the applicant seeks consent for development comprising:

- Resource Recovery Facility with throughput of 150,000 tonnes per annum, consisting of 110,000 tonnes wood/timber waste and 30,000 tonnes of plasterboard.

Based on the information provided, the proposal may require an environment protection licence (EPL) under the *Protection of the Environment (Operations) Act 1997* (POEO Act). The EPA recommends the proponent reviews the relevant thresholds under the POEO Act and considers whether the activities meet the requirements for an EPL, including, but not limited to:

- Clause 34 of Schedule 1 of the POEO Act - *recovery of general waste*, meaning the receiving of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste) from off site and its processing, otherwise than for the recovery of energy.
- Clause 41 of Schedule 1 of the POEO Act - *non-thermal treatment of general waste*, meaning the receiving of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste) from off site and its processing otherwise than by thermal treatment.
- Clause 42(1) of Schedule 1 of the POEO Act - *waste storage*, meaning the receiving from off site and storing (including storage for transfer) of waste.

The EPA has provided recommendations for SEARs that should be considered in relation to the proposal. Please see **Attachment A** for details.

If you have any questions in relation to this letter, please contact Mr Jarrod Grimston on 9895 6602 or via email at [Jarrod.Grimston@epa.nsw.gov.au](mailto:Jarrod.Grimston@epa.nsw.gov.au)

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Yours sincerely

A handwritten signature in dark ink, appearing to read 'L Borysko', with a stylized, cursive script.

8 July 2020

**Larissa Borysko**  
**A/Unit Head, Regulatory Operations Metropolitan West**  
**Environment Protection Authority**

*Attachment A – EPA Recommendations for SEARs for Resource Recovery Facility at 25 Dunheved Circuit St Marys*

## ATTACHMENT A

### EPA recommendations for SEARS for Resource Recovery Facility at 25 Dunheved Circuit St Marys

#### Environment Protection Licence

Based on the information provided, the proposal may require an environment protection licence (EPL) under the *Protection of the Environment (Operations) Act 1997* (POEO Act). The EPA recommends the proponent reviews the relevant thresholds under the POEO Act and considers whether the activities meet any of the requirements for an EPL. If the development is approved a licence application must be submitted to the EPA.

Appendix 1 of the EPA's *Guide to licensing under the Protection of the Environment Operations Act 1997* (EPA, 2016) provides a list of matters that must be considered when submitting a licence application to the EPA. An Environmental Impact Statement (EIS) should be prepared to include all the relevant matters listed in Appendix 1 of the Guide to licensing.

The Guide to licensing is available on the EPA's website at <https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/guide-to-licensing>

#### Noise

The EIS should include a Noise Impact Assessment (NIA) that takes into consideration the impacts of construction and operational noise for the life of the proposal. The NIA should be prepared in accordance with the following documents:

- *Noise Policy for Industry* (EPA, 2017);
- *Interim Construction Noise Guideline* (EPA, 2009); and
- *Assessing Vibration: a technical guideline* (EPA, 2006).

#### Water

In general, development should maintain or restore the community's uses and values of waterways, including human and environmental health, through the achievement of relevant NSW Water Quality Objectives (WQO). The Environmental Impact Statement (EIS) should provide the following for the construction and operational phases of the proposal:

- Provide an assessment of any potential impacts of the proposal on the surface and groundwater of the area, with particular focus on water quality and the community's agreed environmental values and human uses for relevant watercourses (the NSW WQO).
- Provide a Stormwater Management Plan that outlines the general stormwater management measures for the proposal, including erosion and sediment controls, first flush systems, and the use of sustainability measures such as Water Sensitive Urban Design to create more resilient and adaptable urban environments.
- Outline opportunities for the use of integrated water cycle management practices and principles to optimise opportunities for sustainable water supply, wastewater and stormwater management across the proposal.
- Provide details of any potential discharge of pollutants to water, including fugitive discharges such as fuel or oil leaks. The EIS should take into consideration the characteristics and hydrology of the receiving waters and provide details of how any potential water pollution caused by the proposal will be prevented or mitigated.

The EPA would expect that the building(s) be constructed to exclude all stormwater and that internal surfaces be graded inwards to contain any contaminated water (being any water that has come into contact with waste). The EPA notes that even where all waste storage and processing is conducted within an enclosed building, waste may be tracked on to external surfaces leading to the generation of contaminated water. Any external areas where waste vehicles travel or wait for loading/unloading must drain to a stormwater quality treatment device sufficient to remove any contaminants, both solid and dissolved, prior to discharge offsite.

## **Polluted Water**

The EPA considers that polluted water means any water that has come into contact with waste.

Water which has come into contact with waste may become polluted with:

- gross pollutants;
- nutrients;
- organic matter;
- sediment;
- oil and grease; and/or
- dissolved contaminants / toxicants.

Polluted water may also refer to water that has come into contact with fuel or other chemicals. It is considered best practice to ensure that no polluted water is discharged from the Premises. However, discharge of polluted water should generally only be considered after other options have been shown to not be viable or to deliver less satisfactory environmental outcomes overall. The EPA only specifies pollutants on a licence where their discharge in all practical terms is unavoidable and measures to control the pollutants and their impacts can be feasibly implemented.

A licensee must demonstrate that it has considered all reasonable options for the prevention of pollution before the EPA will consider placing a discharge point on a licence.

## **Air Quality**

The EIS for the proposal should include an Air Quality Impact Assessment (AQIA), prepared in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales 2016*. The AQIA should include:

- Sources of all potential air emissions from the site, including vehicle movements, during construction and operation;
- Identification of sensitive receivers potentially impacted by air emissions during construction and operation;
- Assessment of potential impacts on identified sensitive receivers; and
- Details of air quality management and monitoring procedures proposed to minimise any impacts to the environment and human health during construction and operation.
- The AQIA should consider the proposals potential to produce odour and/or dust and the controls that will be put in place to reduce these impacts.

## **Wheel wash**

Best practice waste management facilities contain a wheel wash to reduce risk of contaminants being tracked out onto public roads. The EPA notes that the Preliminary Environmental Assessment Report includes a plan that contains reference to a wheel wash for the site. The Proponent should set out in the EIS whether a wheel wash will be installed and if not, justification as to why a wheel wash will not be installed.

## **Waste Management**

The EIS must include a detailed assessment of the waste management processes to be undertaken at the Premises. This includes but is not limited to:

- details of the sources of waste to be received at the Premises;
- details of the types and quantities of each type of waste to be received at the Premises;
- details of the maximum volume of waste to be stored on the Premises at any one time;
- details of the maximum annual throughput of waste for be processed at the Premises;
- a description of waste processing procedures for each waste type;
- a description of how the proponent will meet the EPA's record keeping and reporting requirements, including weighing material in and out of the Premises (refer to the EPA's Waste Levy Guidelines for more information – available at <http://www.epa.nsw.gov.au/your-environment/waste/waste-levy>);
- a detailed site plan(s) identifying areas for:
  - haulage;
  - waste receipt, processing, storage and loading (for each waste type)
  - quarantine;
  - infrastructure for environmental controls including dust, noise, water and wheel wash;
  - weighbridge;
  - site boundaries;
  - stormwater drainage areas; and
  - unused stabilised areas;
- details of the type and quantities of materials to be produced and their intended fate;
- details of any materials produced under a Resource Recovery Order, and the controls in place for meeting the conditions of that order;
- a description of procedures for dealing with non-conforming waste (i.e. waste not permitted to be received at the Premises).

## **Management of Dangerous Goods and Hazardous Materials**

The EIS must provide details of the following for the construction and operational phase:

- Details of the type and quantity of all chemical substances to be used or stored on site; and
- Procedures for the classification, assessment, handling, storage, transport and disposal of all hazardous and dangerous materials used, stored, processed or disposed of as part of the proposal, in addition to the requirements for liquid and non-liquid wastes.

## **Incident Risks and Contingency Practices**

The EIS must include a comprehensive assessment of the potential for an incident to occur at any stage of the proposal, the measures to be used to minimise the risk of incidents, and the procedures to be employed in the event of an incident.

## **Activities inside the Building**

The EPA would like to reiterate that it will be a condition of any environment protection licence issued that all storage, processing, sorting, unloading and loading occur inside the building.

## **Changes to the Protection of the Environment Operations (Waste) Regulation**

The Applicant should be aware that changes to the *Protection of the Environment Operations (Waste) Regulation* commenced on 16 November 2018, which legislates "Standards for managing construction waste in NSW" (<https://www.epa.nsw.gov.au/publications/managewaste/18p1270-standards-for-managing-construction-waste-in-nsw>). These standards must be complied with from 16 May 2019, regardless of when approval was given for the facility. The EPA encourages the

Proponent to be fully aware of these legislative requirements and ensure their operations are compliant.

#### **Authorised amount and financial assurance**

It should also be noted that there are several requirements for holders of environment protection licenses, including a limit on the maximum amount of waste permitted onsite at any one-time, monthly recording and reporting and provision of a financial assurance. The EPA would discuss these matters further if the proposal is approved and a licence application is submitted to the EPA.

#### **This concludes the EPA's submission**