

Our reference : DOC13/76612
Contact : Damien Rose

Mr Chris Ritchie
Manager – Industry
Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

ELECTRONIC MAIL

Dear Mr Ritchie

**Re: Penrith Glass Beneficiation Project SSD- 5267 – 126 Andrews Road Penrith
EPA Comments regarding the Response to Submissions and
Recommended Conditions of Approval**

I refer to the proposed Penrith Glass Beneficiation Project SSD-5267. The Department of Planning & Infrastructure ("DP&I") wrote to the Environment Protection Authority (EPA) on the 10 October 2013 requesting that the EPA review the applicants Response to Submissions report and advise if the issues raised in the EPA submission of the 5 August 2013 have been adequately addressed. Further, DP&I invited the EPA to provide any recommended Conditions of Approval for the project.

The EPA has reviewed the applicants Response to Submissions and is satisfied that the applicant has addressed those issues raised in the EPA submission. Attached is the EPA Recommended Conditions of Approval.

The EPA advises that should the project approval be granted, the Proponent will need to apply for an environment protection licence pursuant to Schedule 1 of the *Protection of the Environment Operations Act, 1997*. A separate application would need to be made to the EPA to obtain this licence.

Should you have any queries regarding the attached conditions, please contact myself on 9995 5586.

Yours sincerely



Damien Rose 29/10/13

**Damien Rose
A/ Unit Head Waste Compliance
Environment Protection Authority**

ATTACHMENT – EPA RECOMMENDED CONDITIONS OF APPROVAL

The EPA has included the following conditions of approval for consideration.

Hours of operation

- All external operational activity, including plant and heavy vehicle movements, shall be conducted between 6am and 6pm; and
- Internal activity may be conducted 24 hours/day, (dependent upon noise validation).

Note: As the facility is currently operating noise validation should be conducted prior to receiving operational approval. Consideration should be given to requiring validation be repeated once the processes onsite are operating at full capacity.

Air Emissions

- All loading, crushing and processing must occur inside a fully enclosed building.
- Transfer of crushed cullet to external storage bunkers must occur between the hours of 4pm and 6pm only

Purpose: Compliance with the process scenario modelled in the air quality assessment.

- Water sprays/foggers must be used to control particle emissions at all times when crushed cullet is transferred to external storage bunkers

Purpose: Compliance with the process scenario modelled in the air quality assessment.

- For all emission sources at the site the proponent must prepare an air quality management plan that includes, but is not limited to:
 - a. Key performance indicator(s);
 - b. Monitoring method(s);
 - c. Location, frequency and duration of monitoring;
 - d. Record keeping;
 - e. Response mechanisms; and
 - f. Compliance reporting.

Automatic Closing Doors

- Automatic closing doors shall be installed prior to the commencement of operation, and maintained at all egress points of the factory.

Purpose: To reduce the potential for dust, noise, odour and crushed glass to pass outside the facility building and to ensure factory doors are not left open at inappropriate times.

Dangerous Goods Storage

- All Dangerous Goods shall be stored onsite in accordance with the appropriate Australian Standard.
- The decanting of any chemicals or dangerous goods, including the fuelling of plant or vehicles from the 2000L bunded diesel tank, is to be conducted wholly within a covered and bunded area that excludes rainwater and is impervious to the fluid stored within.

Glass Cullet Storage

- Crushed cullet must only be stored in purpose built storage bunkers when stockpiled outside a building. Externally stored material shall be restricted to finished glass cullet that is free of contaminants.

- All external surfaces including the external concrete hardstand areas shall be routinely maintained so as to be kept free of crushed glass and other contaminants. Note this condition would not be applied to the area immediately contained within the external storage bays.
- Finished glass cullet stockpiles shall be maintained below the 3m height of the bunkers at all times, to ensure the effective containment of glass cullet and to reduce the potential to generate wind born dust.
- Finished glass cullet storage area shall be constructed so as to provide sufficient windbreak to control dust emissions from loading activities.

Purpose: Section 5.1.8.4 of the EIS provides for air emissions that assume the cullet storage area will provide windbreaks that effectively control dust from loading activities.

- The proponent shall install and maintain floodwater containment bunds around the storage bay areas to ensure that all water entering these bays must discharge via the CDS interceptors.
- CDS in-line stormwater treatment devices or similar must be installed. Where CDS in-line stormwater treatment devices are not installed, the applicant should install devices that will achieve the same or better performance criteria. These must also be routinely inspected and maintained so as to operate within design parameters.
- The operator shall maintain and clean the internal surfaces of the Premises to ensure operating conditions inside the facility minimise the potential to generate odour, dust and the carriage of waste outside the factory.

Heavy Vehicle Noise Control

- Procedures shall be maintained to ensure only one heavy vehicle may pass around to the eastern side of the building at any one time.

Purpose: Compliance with assumptions contained within the noise impact assessment.

Noise Limit Conditions

Please note the attached Noise Limit Conditions are sequentially numbered here for reference purposes only.

- L6.1** Noise generated at the premises must not exceed the noise limits in the table below. The locations referred to in the table below are indicated by *Figure 5-29 Site Locations and Considered Receiver Locations* provided in the Environmental Assessment - Noise Impact Assessment for the Glass Recovery Project (Report No. 111144_EIS_Rep_Final) dated May 2013 [released 29 May 2013].

NOISE LIMITS IN dB(A)

Locality	Location	Day	Evening	Night	
		L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)
R1	31 Ariel Crescent, Cranebrook	45	35	35	54
R2	19 Ariel Crescent, Cranebrook	45	35	35	54
R3	6 Koala Glen, Cranebrook	49	35	35	58

R4	42 Scenic Circuit, Cranebrook	45	35	35	55
R5	93 Allard Street, Penrith	41	35	35	51
R6	58 Ceres Street, Penrith	42	35	35	51
R7	5 Echo Place, Penrith	45	35	35	46
R12 & 13	Active Recreational Areas	55 dB(A) [When-in-use]			

L6.2 For the purpose of condition L6.1;

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.
- Evening is defined as the period 6pm to 10pm.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.

L6.2 (A) Construction activity is permitted between the hours of 7:00am to 6:00pm Monday to Friday and Saturday 8:00am to 1:00pm, with no construction activity on Sundays and Public Holidays. Respite periods shall be implemented to address any noise complaint(s) associated with any construction noise including any loud construction works.

L6.3 The noise limits set out in condition L6.1 apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

L6.4 For the purposes of condition L6.3:

- a) Data recorded by a meteorological station as defined by the EPA must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L6.5 To determine compliance:

- a) with the $L_{eq(15 \text{ minute})}$ noise limits in condition L6.1, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the $L_{A1(1 \text{ minute})}$ noise limits in condition L6.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.

c) with the noise limits in condition L6.1, the noise measurement equipment must be located:

- at the most affected point at a location where there is no dwelling at the location; or
- at the most affected point within an area at a location prescribed by conditions L6.5(a) or L6.5(b).

L6.6 A non-compliance of condition L6.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed by conditions L6.5(a) and L6.5(b); and/or
- at a point other than the most affected point at a location.

L6.7 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

M8 Requirement to Monitor Noise

M8.1 To assess compliance with Condition L6.1, attended noise monitoring must be undertaken in accordance with Conditions L6.5 and:

- a) at each one of the locations listed in Condition L6.1;
- b) occur in a reporting period;
- c) occur during each day, evening and night period as defined in the NSW Industrial Noise Policy for a minimum of:
 - 1.5 hours during the day;
 - 30 minutes during the evening; and
 - 1 hour during the night.
- d) occur for three consecutive operating days.

R4 Noise Monitoring Report

A noise compliance assessment report must be submitted to the DP&I within 30 days of the completion of the monitoring period. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) an assessment of compliance with noise limits presented in Condition L6.1; and
- b) an outline of any management actions taken within the monitoring period to address any exceedences of the limits contained in Condition L6.1.

Additions to Definition of Terms of the licence

- NSW Industrial Noise Policy - the document entitled "New South Wales Industrial Noise Policy published by the Environment Protection Authority in January 2000."
- Noise - sound pressure levels' for the purposes of conditions L6.1 to L6.7.

