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Your ref: SSD-5339

18 November 2020

Director - Industry Assessments
Planning and Assessment
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

To: Director - Industry Assessments

Re: Minto Waste and Resource Recovery Facility (SSD-5339) Environmental Impact Statement

Foamco Industries Pty Ltd (Foamco) has been manufacturing and distributing a range of polyurethane foam to a variety of businesses for more than 25 years. Its foam manufacturing facility in Sydney is located at 27 Pembury Road, Minto, NSW 2566, directly adjacent to the proposed Minto Waste and Resource Recovery facility at 7 Montore Road, Minto (Proposed Waste Facility). Foamco also currently occupies 16, 18, 20, 23, 25 and 26 Pembury Road, Minto. Its facility employs 52 people.

A key focus of Foamco's business is the supply of specialty products to the healthcare, audio and food/medical packaging sectors.

In the healthcare sector, Foamco creates high quality and highly functional healthcare products e.g. hospital mattresses, aged care and general medical mattresses. These products are supplied into home healthcare, aged care, hospitals and other acute care markets and must be free of impurities including dust particles.

In the audio sector, these products are used in the packing of sensitive equipment.

In the packaging sectors, Foamco's products are used in the packaging of medical products and are used as food grade packaging.

For Foamco's products to be safe and fit for purpose, they must be completely sterile and free of dust. Consequently, Foamco's operations are particularly sensitive to the emission of dust and air pollution.

At all stages of the manufacturing process, the products are susceptible to contamination from dust and air pollution, in particular, during:

- The 24-hour curing period following foam production
- Foam cutting
- Foam covering for medical and aged care mattresses
- Packing of the product
- Outside unloading of liquid chemicals for foam production

- outside truck loading of all covered and uncovered foam.

The quality of Foamco's products is key to the success of its business. Having undertaken a careful review of the EIS for the Proposed Waste Facility, our opinion is that the Proposed Waste Facility would endanger this.

Foamco has significant concerns over the siting of a resource recovery facility so close to Foamco's foam manufacturing plant (see Figure 1, Foamco facility shaded in blue) and the resulting potential to affect the quality of the products and impact on the health and welfare of its employees.

Should the Minister for Planning and Public Spaces grant permission for the Proposed Waste Facility in its current form, Foamco would be forced to seriously consider relocating or even closing its business. Either scenario would cost millions of dollars. Foamco would look to recover these costs, via an action against the proponent and/or by seeking financial assistance from the NSW Government.

The concerns that Foamco has about the Proposed Waste Facility are outlined in the following sections.



Figure 1 Location of Foamco Industries (shaded in blue) adjacent to the Proposed Waste Facility (outlined in red)

1. AIR QUALITY

The Proposed Waste Facility was declared as State significant development (SSD) and Secretary's Environmental Assessment Requirements (SEARS) have been issued for it on four occasions - 28 June 2012, 14 December 2014, 11 July 2017 and most recently 20 August 2020.

Regarding air quality, the SEARS require the Proposed Waste Facility proponent to assess:

'air quality and odour — including:

- *A quantitative assessment of the potential air quality and odour impacts for the development on the surrounding landowners and sensitive receptors;*



- Construction and operational impacts, including dust generation from the transport of material; and
- Details of the proposed management and monitoring measures'

WSP has reviewed the Air Quality Impact Assessment (AQIA) report (Concrete Recyclers Air Quality Impact Assessment, Report No. 12166-A, Version A, February 2019), which is part of the EIS for the Proposed Waste Facility, and make the following comments and questions in the section below.

1.1 REMEDIATION

Section 13 of the EIS document (*Site Contamination*) provides detail on the type and level of contamination at the site. It indicated that friable and bonded asbestos containing material (ACM) were identified in fill soils from the southern section of the site, including within two stockpiles.

The AQIA Report states:

'Friable and bonded asbestos-containing materials (ACM) were identified in fill soils from the southern portion of the site, as well as within two stockpiles'.

'The EI (2020) additional investigation confirmed the presence of ACM in southern half of the site and delineated the areas of impact. It was concluded that the ACM posed a moderate to high risk to (future) human receptors. Remediation of the land was therefore necessary, in order for it to be suitable for the proposed (resource recovery facility) development'.

The EI (2020) additional investigation report recommended preparation of a Remedial Action Plan (RAP) and an Asbestos Management Plan for the site. A RAP was prepared for the site and included as Appendix 15 of the EIS. Its objective *'is to guide remediation of the site, by providing detailed procedures that comply with relevant guidelines, yet prevent adverse effects on human and environmental receptors'.*

However, an Asbestos Management Plan was not included with the EIS. No explanation has been provided as to why an Asbestos Management Plan was omitted. An Asbestos Management Plan should be prepared, reviewed and approved.

Foamco are concerned about the presence of ACM during remediation works and any other works on site which have the potential to disturb ACM, particularly given its presence in the southern section of the site near Foamco's premises and the possible effect on the health and well-being of Foamco's employees. Some key questions regarding asbestos removal which remain unresolved by the EIS include:

- Where will asbestos monitoring take place? Will significant monitoring be conducted along southern boundary of the site, that adjoins Foamco's premises?
- What type of monitoring will occur? Environmental and/or occupational?
- What is the frequency of monitoring? How many samples?
- What are the monitoring procedures?
- Will an independent and adequately qualified consultant conduct the work?

Comprehensive monitoring should be required, including along the southern boundary of the site. In the interests of transparency and safety, there should be a requirement to share the results in a timely manner with adjoining landowners.

1.2 CONSTRUCTION

The AQIA Report did not address the potential impacts from construction of the Proposed Waste Facility, nor how they would be managed. In fact, air quality impacts during construction were not addressed in the AQIA Report at all which is not compliant with the SEARs as outlined above. Additionally, no air monitoring (asbestos and dust) has been proposed to demonstrate that construction works at the Proposed

Waste Facility would not have an impact beyond its site boundary i.e. impacting on Foamco's manufacturing facility, its products and employees.

Section 2.16 of the EIS document (*Sequence of Construction of the Proposal*) appears to be the only reference to construction activities, but this section provides no information about the construction schedule, the type and number of mobile plant machinery and trucks, the proposed construction timing or the proposed construction hours. Additionally, there is no mention of proposed management measures or monitoring during construction works.

As dust (including TSP, PM₁₀ and PM_{2.5}) is likely to be generated during construction activities e.g. earthworks, which may impact on Foamco's activities and the quality of its foam products, the failure of the AQIA Report to address construction impacts is a significant shortcoming.

1.3 OPERATION

The EIS document indicates that small sections of the Proposed Waste Facility will be partially undercover and that there will be unsealed tracks and other surfaces within the Proposed Waste Facility. This does not reflect current best practice for waste recycling facilities, which requires that waste recycling operations occur within purpose-built enclosed and undercover facilities, on sealed surfaces.

If the Proposed Waste Facility is to proceed, the whole of the facility should be fully enclosed and all surfaces on which operations will occur should be sealed, in accordance with current best-practice.

In addition, the following key questions and issues regarding air quality impacts during operations remain unanswered by the EIS materials:

- Was the meteorological modelling conducted in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* (NSW EPA 2016)? If so, how?
- Why was the year 2017 chosen for the air dispersion modelling? Section 4.1.2 states '*Wind speed and direction during 2017 are generally representative of the five-year period and have therefore been adopted for assessment purposes*'. There is no detailed analysis of why 2017 was chosen rather than any of the other years.
- It is understood that the crushing and screening plant forming part of the Proposed Waste Facility would be housed inside a shed. How were these sources modelled i.e. as a point or volume source?
- It is also understood that a fogging system would be used to control dust from the crushing and screening plant. How effective is this system to manage dust generation? Crushing and screening operations are known to create high levels of dust.
- It seems that the crushing and screening plant is not fully enclosed, since conveyors would extend from the shed via 6 metre (m) high openings on the eastern and southern facades. However, air emissions from conveyors were not included as sources, so it appears that dust emissions from the conveyors have not been assessed.
- The sand washing plant forming part of the Proposed Waste Facility, which includes a generator and screens, was not included as an air emission source. Its omission potentially underestimates TSP, PM₁₀ and PM_{2.5} impacts at the Foamco facility (Industrial Receiver 3).
- It appears that there are several external conveyors (and possibly conveyor transfer points) used in waste stockpiling activities. However, they were not included as air emission sources, so it appears that dust emissions from these conveyors have not been assessed.
- The pug mill and the pug mill silo were not included as sources in the model. What was the reason for their exclusion? This appears to us to be a significant omission from the assessment with the potential to underestimate TSP, PM₁₀ and PM_{2.5} impacts at the Foamco facility.
- The AQIA Report states that, in the background atmosphere, 40% of the TSP is PM₁₀. However, the monitoring used for this statement (NSW Mineral Council 2000) was undertaken in the Hunter

Valley, which is a coal mining area known to have elevated background levels of PM_{10} , so how could this be regarded as representative? In the absence of site representative data, a more appropriate approach is to consider the relationship between TSP and PM_{10} concentrations and measured PM_{10} levels based on NSW EPA air quality impact assessment criteria. This relationship assumes that an annual average PM_{10} concentration of $25 \mu\text{g}/\text{m}^3$ corresponds to an annual average TSP concentration of $90 \mu\text{g}/\text{m}^3$. This equates to a background concentration of $56.5 \mu\text{g}/\text{m}^3$ rather than the adopted concentration of $39.3 \mu\text{g}/\text{m}^3$. This yields a cumulative concentration of $80.3 \mu\text{g}/\text{m}^3$ at Foamco (Industrial Receiver 3 in the AQIA Report), which is almost 90% of the TSP assessment criterion. Activities at the proposed development are predicted to contribute 30% of the predicted TSP concentrations at Foamco which will adversely impact on Foamco's activities, the quality of its foam products and the health and welfare of its employees.

- The AQIA Report indicates exceedances were predicted for the annual average $PM_{2.5}$ ($8.67 \mu\text{g}/\text{m}^3$) and the 24-hour average PM_{10} ($55.93 \mu\text{g}/\text{m}^3$) assessment criteria at Industrial Receiver 3 (Foamco). In addition, the annual average predicted $PM_{2.5}$ ground level concentration ($24.99 \mu\text{g}/\text{m}^3$) is predicted to reach the assessment criterion of $25 \mu\text{g}/\text{m}^3$. It is acknowledged that the annual average $PM_{2.5}$ background concentration contributes to a large component of the overall impact. However, for the 24 hour and annual PM_{10} ground level concentrations, site contributions are predicted to be 43% and 37% of the total impact respectively which is not insubstantial and will have an impact on the Foamco facility, the quality of its foam products and the health and welfare of its employees.
- The AQIA Report indicates that a contemporaneous assessment was undertaken for Industrial Receivers 1, 2 and 3 (Foamco). The graphs which depict the outcomes of that assessment (pages 21-36) indicate that predicted emissions from the Proposed Waste Facility cause an exceedance of the 24 hour $PM_{2.5}$ impact assessment criterion at all sensitive receivers in August 2017. This is not referred to in the text of the AQIA Report. Furthermore, the predicted PM_{10} emissions from the Proposed Waste Facility would cause the $50 \mu\text{g}/\text{m}^3$ assessment criterion to be reached in March 2017 at sensitive receiver I2. Again, this is not mentioned in the AQIA Report and demonstrates both inadequacies in the assessment and the adoption of an approach which understates the extent of the adverse impact on the adjacent industrial receivers.
- The AQIA Report mentions only four proposed management measures. These measures alone will not ensure impacts at the Foamco premises are minimised. A whole suite of management and controls should have been included in the AQIA Report.
- An Air Quality Management Plan or a dust monitoring program was not proposed for the Proposed Waste Facility. A permanent and continuous dust monitor that measures PM_{10} and $PM_{2.5}$ should be placed along the southern boundary of the Proposed Waste Facility, given the predicted high particulate matter concentrations at the Foamco facility.
- Odour was not addressed in the AQIA Report, even though the SEARS specifically requests an assessment of potential odour impacts.

Overall, the air quality impacts from the Proposed Waste Facility have not been assessed adequately. Given that air quality impacts are one of the most significant issues for the Proposed Waste Facility, this indicates a fundamental deficiency in the EIS.

The air quality impacts from the Proposed Waste Facility should be reassessed to take account of the comments raised above. Foamco are concerned that impacts from a potentially high dust generating activity were not adequately addressed and that the proposed dust control measures are insufficient to ensure there are no unacceptable impacts, including on the Foamco manufacturing facility and its products and people.

2. NOISE

Regarding noise and vibration, the SEARs require the Proposed Waste Facility proponent to assess:

'noise and vibration – including:

- *A quantitative assessment of the potential construction, operational and transport noise and vibration impact; and*
- *Details of the proposed noise and vibration management and monitoring measures’.*

WSP has reviewed the Acoustic Impact Assessment report (Materials Recycling Facility, Noise Assessment, Report No. 12166-N, Version D, January 2019) (Acoustic Impact Report) and the following comments are made and questions asked in the section below.

- Section 4.4 of the Acoustic Impact Report indicates that predicted noise levels from the Proposed Waste Facility activities reach the NSW *Noise Policy for Industry* (NPII) criterion of 70dBA at the northern, western and southern boundaries of the Proposed Waste Facility site. A 6 m high wall is proposed along the northern and western boundaries but not for the southern section of the site. This appears to be another significant omission from the EIS. Based on the modelling results in the Acoustic Impact Report, the Foamco facility will be the most adversely affected industrial receiver from site activities at the Proposed Waste Facility will adversely impact on the health and wellbeing of our employees. At the very least, the Proposed Waste Facility should include the construction of a noise wall along the southern boundary.
- Construction noise levels at sensitive receivers (including Foamco's facility) were not assessed. Please explain why?
- There are no management measures nor noise monitoring proposed during operational activities for the Proposed Waste Facility, which is contrary to the SEARs. Please explain why?
- A Noise and Vibration Management Plan was not proposed for the Proposed Waste Facility, which is contrary to the SEARs. Please explain why?

As is the case with the air quality assessment, the omissions in the noise assessment are significant and demonstrate a major failing in the EIS.

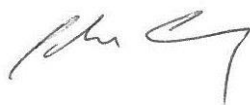
3. CONCLUSION

In its currently proposed form, the Proposed Waste Facility does not reflect current best practice for waste recycling facilities, which requires that waste recycling operations occur within purpose-built enclosed and undercover facilities, on sealed surfaces.

A review of the AQIA Report and the Acoustic Impact Report clearly indicates that both reports lack clarity in assessment approach or consistency in conclusions and recommendations. In addition, there is minimal reference to proposed management measures during both construction and operation and no proposed monitoring during operation of the Proposed Waste Facility. Foamco requests that the air quality and noise assessments are redone to take account of the comments made in this submission and to address the significant issues and questions which have been left unanswered. Without proper air quality and noise assessments, there cannot be any reasonable basis for approving the Proposed Waste Facility,

The siting of the Proposed Waste Facility, in its current form, adjacent to the Foamco facility, will have a significant detrimental effect on Foamco's business and may force it to relocate at significant cost or even close its business. Either scenario would cost millions of dollars. Foamco would look to recover these costs either via an action against the proponent and/or by seeking financial assistance from the NSW Government.

Yours sincerely



John Conway
Air Quality (Senior Principal)