

Notice

**ENVIRONMENT PROTECTION ACT 1970
SECTION 22(1)
NOTICE TO SUPPLY FURTHER INFORMATION**

**TO: ENERGY BRIX AUSTRALIA CORPORATION PTY LTD (EBAC)
(ABN: 79074736833)**

**OF: UNIT 9 / LEVEL 1 / 677 SPRINGVALE RD / MULGRAVE VIC 3170, VICTORIA,
3030.**

WHEREAS an application by you for a works approval in respect of premises situated at 412 Commercial Road, Morwell, Victoria was received by the Environment Protection Authority ("the Authority") on 19 January 2018.

AND WHEREAS we consider the information specified herein is necessary and relevant to the consideration of the application

NOW TAKE NOTICE that pursuant to section 22(1)(a) of the Environment Protection Act ("the Act") EBAC is **HEREBY REQUIRED** to supply to the Authority by 4.00pm on the 12th day of March 2018 the information specified in Attachment A of this notice.

DATED: 2 March 2018



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QUENTIN COOKE
DELEGATE OF THE
ENVIRONMENT PROTECTION AUTHORITY

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ATTACHMENT “A”

Re: Works approval application SO 1003002 from Energy Brix Australia Coporation Pty Ltd to establish an asbestos landfill at 412 Commercial Road, Morwell.

Please submit the following information which needs to be prepared by suitably qualified professionals.

1. Provide information on long-term undisturbed groundwater water quality.

- The groundwater is likely to be Segment B but further information is needed to confirm this. Essentially there are only two samples providing information about TDS levels in GW15. Whilst the samples are a year apart they are both in the same season (September 2017 and October 2016). This is not considered to provide sufficient temporal and spatial representativeness, as required by SEPP GoV (Clause 8)
- This information is required to assess compliance with Clause 15(3)(3) of the Waste Management Policy (Siting, Design and Management of Landfills) (WMP).
- Is there any field EC data that could be used to extend the coverage and provide more information about the TDS in GW15? If there is such data please provide.
- What is the timing of the 53X environmental audit and is it scheduled to collect additional samples of TDS in GW15 and at the site? **Please obtain some additional analyses so as to represent a different season.**
- It was mentioned that there were anomalies in the laboratory analyses, however, these have not been adequately explained. Please provide an explanation for these anomalies.

2. Provide information on long-term undisturbed groundwater level for the site

- Long term undisturbed groundwater level is required to assess compliance with Clause 16(2) of the WMP. It appears that the groundwater level has been determined based on two years of water level monitoring data which is inadequate.
- The following information is required to determine whether the 2m separation will be provided:
 - Long term undisturbed groundwater level (in m AHD)
 - Survey data of Bore GW17B; (in m AHD)
 - Survey data of the proposed landfill site; (in m AHD)
 - The maximum depth of the landfill cell(s) (in m AHD).

3. Provide preliminary design drawings

- A contour map of the current natural ground (in m AHD) and the top of cap contour map should be provided. These plans should be “Pre-settlement” top of waste and “pre-settlement” top of cap contours shown in m AHD..

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- Provide preliminary liner profile showing barrier layers including the drainage layer in compliance with Best Practice Environment Management Guideline for landfills (BPEM, EPA Publication 788.3). Note that the proposed drainage layer thickness (as per the WAA) is 200mm. However, the BPEM requirement is that the thickness to be 300mm with a hydraulic conductivity of not less than 1×10^{-3} m/s, and it is one of the “required outcomes”. Under such circumstances, provide an explanation how the proposal will comply with clause 15(3)(c) of the Waste Management Policy which states that an applicant for a landfill works approval must meet **each** “required outcome” of the BPEM.

4. An assessment on potential risks on receptors

- Some receptors appear to be within the recommended buffer. Therefore, a comprehensive risk assessment is required;
- The amended WAA (received on 19 Jan 2018) has not provided additional and operational measures required to ameliorate the risks associated with a reduction of the buffer distance identified in Table 5.2 of the BPEM.
- It is likely that this is not purely a monofil asbestos landfill. There is potentially a mix of wastes some of which could produce gas and may contain some other contaminants (i.e. oils and other contaminants from gaskets etc.). Therefore, any likelihood of risks due to landfill gas and other potential contaminants needs to be contained/addressed.
- Please provide a risk assessment of the potential for gas generation and the risks to nearby receptors and the additional and operational measures required to ameliorate the risks (from gas and/or other contaminants) as a result of a reduced buffer distance.

5. Provide a detailed assessment of leachate management

- The proposed leachate management actions are not adequate. Because of the uncertainties of other contaminants and the likelihood of the presence of hydrocarbons an onsite leachate treatment or disposal to an approved off-site facility should be included in the leachate management procedures. It is noted that asbestos may contain other components from building demolition works (i.e. timber, metal, bricks etc). Leachate will be generated from such material and needs to be collected, removed and managed. Also any rainfall that falls within the landfill (while it is open) will end up in the waste and will become leachate. This needs to be collected, removed and managed. Furthermore, ‘design and construction of the most robust liner and leachate collection system’ is also a required outcome of BPEM. Please outline how this will be done and how the proposal will comply with clause 15(3)(c) of the Waste Management Policy which states that an applicant for a landfill works approval must meet **each** “required outcome” of the BPEM.

6. Stormwater Management

- Explain in greater detail how stormwater flows will be managed and how contaminated stormwater will be managed onsite to ensure that no contaminated stormwater is released from

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the site. This should show how the stormwater management at the proposed landfill will make use of the existing stormwater management infrastructure at the site, and should cover both the operational and post closure phases of the landfill.

7. Processing of asbestos waste

- It is not clear in the application how the asbestos waste could be separated/sorted to ensure that the waste is 100% or close to 100% asbestos and is not contaminated with other materials. Explain how this would be accomplished or if significant amounts of non-asbestos wastes are likely to be included identify the probable types and amounts of such materials and the associated risks.

8. Update of the site EMP

- The current site 'Environment Management Plan' dated January 2017 (Appendix B in Documents 1 and 2) does not provide for the establishment and management of the proposed Asbestos Landfill. Please update this EMP to capture all aspects regarding the siting, design, operation and rehabilitation of the proposed landfill.