



Contact: Alfarid Hussain  
Phone: 02 9274 6456  
Email: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Greg Johnson  
Regional Environmental Manager NSW/ACT  
Boral Australia  
PO Box 6041  
NORTH RYDE NSW 2113

17 July 2018

Dear Mr Johnson

**Boral Widemere Recycling Facility (SSD 6525)- Independent Environmental Audit Report 2017**

I refer to email correspondence dated 9 July 2018 submitting an addendum to Independent Environmental Audit (IEA) report prepared by Element Environment for Boral Australia Widemere Recycling Facility (Site), in accordance with Schedule D, Condition D7 of SSD 6525, as modified (Approval).

The Department has reviewed the revised IEA and is generally satisfied that it conforms with the requirements of the Approval.

The Department notes that Boral Recycling Pty Ltd (Boral) notified the Department about the receipt of asbestos containing material three months after the date of the incident. Should future incidents occur at the Site, the Department requests Boral notifies these as soon as practicable, in accordance with Schedule D, Condition D5 of the Approval.

Should you need to discuss the above, please contact Alfarid Hussain on (02) 9274 6456 or email to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

A handwritten signature in black ink, appearing to read 'Stewart McLachlan'.

17.07.18

Stewart McLachlan  
**A/Team Leader – Compliance**  
*as the Secretary's Nominee*





WIDEMERE RECYCLING FACILITY

# INDEPENDENT ENVIRONMENTAL AUDIT - ADDENDUM

Prepared for Boral Recycling Pty Limited

3 July 2018



WIDEMERE RECYCLING FACILITY

# CONTENTS

1	INTRODUCTION	2
2	ENVIRONMENTAL PROTECTION LICENCE	2
3	NON-COMPLIANCES	3
4	DETAIL REGARDING REPORTED NON-COMPLIANCE	3
5.	DETAIL REGARDING REPORTABLE INCIDENTS	5
5	ACTIONS FROM PREVIOUS AUDIT	6

## Attachments

**ATTACHMENT 1 – DPE AUDIT FEEDBACK**

**ATTACHMENT 2 – REVISED 2017 ANNUAL RETURN**

**ATTACHMENT 3 – AGGREGATE STOCKPILE ASSESSMENT**

**ATTACHMENT 4 – DELIVERY INVOICE**

**ATTACHMENT 5 – INSPECTION AND RECEIVALS PROTOCOL**

**ATTACHMENT 6 – CORRESPONDENCE 28 NOVEMBER 2017**

**ATTACHMENT 7 – CORRESPONDENCE 1 DECEMBER 2017**

**ATTACHMENT 8 – CORRESPONDENCE 7 DECEMBER 2017**

**ATTACHMENT 9 – CORRESPONDENCE 12 DECEMBER 2017**

**ATTACHMENT 10 – CORRESPONDENCE 22 DECEMBER 2017**

**ATTACHMENT 11 – CORRESPONDENCE 14 FEBRUARY 2018**

**ATTACHMENT 12 – CORRESPONDENCE 22 FEBRUARY 2018**

**ATTACHMENT 13 – CORRESPONDENCE 1 FEBRUARY 2018**

**ATTACHMENT 14 – CORRESPONDENCE 13 FEBRUARY 2018**

**ATTACHMENT 15 – EPL AUDIT SPREADSHEET**

# 1 INTRODUCTION

Boral submitted the independent environmental audit (IEA) required under Schedule D, Condition D7 of SSD 6525 to the DPE on 23 March 2018. The DPE responded on 1 June 2018 with a request for further information (Attachment 1). This addendum provides the requested information and amended compliance status as necessary.

# 2 ENVIRONMENTAL PROTECTION LICENCE

Item 1 of the DPE correspondence states the following:

The audit should assess compliance with the requirements of Consent, other relevant approvals and the site's EPL in accordance with Schedule D, Condition D7(d) of the Consent. The IEA Report does not assess the compliance status of Widemere RRF against EPL 11815. Appendix B of the report provides a compliance checklist for SSD 6525 and a similar checklist should be provided for the EPL.

This task has been carried out, with the EPL checklist provided in Attachment 15. Note the following regarding Attachment 15:

- The spreadsheet addresses the limit (Section 3) and operating (Section 4) conditions of the EPL as these are the conditions relevant to the environmental performance of the facility.
- Conditions within sections 3 and 4 which relate to previous conditions, for example Condition L5.3 which explains the meteorological conditions relating to Condition L5.1, have not been included.
- The monitoring/discharge points for air and water in the tables under Condition P1 were observed to be in the specified locations during the site inspection.
- The noise monitoring points under conditions P1.3 were not observed during the site inspection as noise has not yet been monitored under SSD 6525 (see response to Condition L5.1 in Attachment 15).

The following non-compliances are noted in Attachment 15:

Condition L4.1 – the facility unknowingly accepted asbestos containing material in November 2017, a portion of which was delivered to a customer. This incident is described in sections 4 and 5 below.

Condition L6.2 – loads were received just before 6am (earliest around 5:50am) in August 2017. This situation is described in Table 5 of the IEA Report, where it was recorded as an 'observation' given mitigating circumstances.

The following tasks were required under the EPL during the IEA period:

- The annual return for 2016/2017 as required under Condition R1.1 was submitted to EPA on 21 April 2017.
- The surface water discharge characterisation assessment required under Condition U1.2 was submitted to EPA on 5 April 2017.
- The surface water mitigation and monitoring plan required under Condition U1.5 was prepared on 28 April 2017.
- The surface water validation report required under Condition U1.10 has not been prepared yet. This is because, under Condition C 43 of the consent, it is required within three months of implementation of the surface water mitigation and monitoring plan. As described above, the surface water mitigation and monitoring plan has not been implemented yet.

- The air quality management plan required under Condition E1.1 has been prepared and is Appendix 3 of the OEMP, which is available on the facility's website.
- The best practice management review for particle emissions required under Condition E1.2 was submitted to EPA on 29 June 2017.

### 3 NON-COMPLIANCES

Item 2 of the DPE correspondence states the following:

Any non-conformances identified with the conditions of the EPL should be reported as specific non-compliances as required by Schedule D, Condition D7(d) of the Consent. The IEA Report states that the EPA consider a non-compliance against Condition L4.1 of the EPL has occurred, but this is not reported as a non-compliance in the IEA Report.

In accordance with the above, this section amends compliance under Schedule D, Condition D7 of the consent. The original details of compliance in Appendix B of this IEA Report stated:

This audit has been commissioned as required by the condition. This is the first audit and was commissioned on 25/11/2017, which is within one year of the consent. The DPE has endorsed the audit team via a letter dated 21/12/2017. The DPE, EPA and Fairfield City Council were invited to provide feedback on the facility via email on 31/01/2018. The environmental performance and adequacy of strategies, plans and programs is assessed in this table and attached report. The compliance for this condition has been set as 'note' as the process will conclude after submission of this report.

The compliance status of Schedule D, Condition D7 of the consent is amended to non-compliant as there was a non-compliance with Condition L4.1 of the EPL in November 2017, as described in Section 4. Section 5 describes reporting of the incident to relevant authorities.

### 4 DETAIL REGARDING REPORTED NON-COMPLIANCE

Item 3 of the DPE correspondence states the following:

The IEA Report identified a non-compliance with Schedule B, Condition B7 of the Consent had occurred through the site unknowingly accepting Asbestos Containing Material (ACM) and delivering some of this to a customer. The IEA Report provides insufficient details regarding this. Please provide the following details regarding this non-compliance:

- [1] The dates that ACM was accepted at the facility and when ACM material was provided to the customer;
- [2] the date that the EPA was notified of the incident;
- [3] Approximate volumes of ACM accepted to the site and provided to the customer;
- [4] Further details about Boral's Inspection Program, such as; how is material accepted to the site inspected? Are all incoming loads inspected? Who does the inspections? Are records of inspections kept? Are outgoing loads inspected? What proportion of material is not inspected?

The following responds to the above items. The information is drawn from the facility's revised 2017 Annual Return to EPA for EPL 11815 (Attachment 2) and the aggregate stockpile assessment (Hibbs & Associates 2018) (Attachment 3). These documents have been approved by the EPA.



1. The exact date the ACM was received at the facility is not known, however, it would have been during November 2017. A load of product containing the ACM was delivered to the customer site in Holsworthy on 21 November 2017.
2. The EPA was notified via telephone on 23 November 2017 that suspected ACM had been discovered at the client site and again on the same day when the presence of ACM had been confirmed.
3. Hibbs & Associates inspected and sampled the suspected ACM at the facility between 13 December 2017 and 5 January 2018, with approximately 390 tonnes classified as special waste (asbestos). 13.8 tonnes of unbound base containing ACM was delivered to the client site on 21 November 2017 (see Attachment 4).
4. An inspection and receivals protocol is implemented at the facility, which was revised on 27 January 2017 and is summarised below (Attachment 5):

- Inspections: delivery trucks report to the weighbridge or office where their loads are inspected and classified. Any loads containing suspected ACM are rejected and noted in the Rejected Loads Register. A docket is given to the driver to present to the spotter before tipping. The truck is directed to the raw feed stockpile area, hands the docket to the spotter and the spotter directs the driver to the appropriate stockpile. The truck is unloaded with materials immediately inspected. If suspected ACM is observed, the load is immediately isolated and handled in accordance with Section 7 *Method for handling suspected contaminated material* of the inspection and receivals protocol. The spotter will sign the docket to indicate the load has been inspected. Material received at the facility is further inspected as raw feed is processed, loading onto crushing plant, in the picking station, at the processed material stockpiles and during loading of saleable product.

Spotters receive asbestos awareness training. Product is tested weekly for potential hazardous material in accordance with *Australian Standard 1141.3.1.9.2 – Sampling of a stockpile using a shovel*, with samples inspected for ACM then sent to an accredited laboratory for hazardous material testing. If hazardous materials are detected, a hygienist is engaged to devise a risk-based management strategy.

- Number of inspections: all incoming loads are inspected at the weighbridge or site office upon arrival and again at the raw feed stockpile area.
- Personnel: the weighbridge/office receivals clerk is responsible for interviewing drivers to determine the source of the load; visually inspecting, classifying and weighing the load; rejecting loads that contain unexpected/suspected ACM and noting customer details in the Rejected Loads Register.

The spotters at the raw feed stockpile area are responsible for obtaining the weighbridge inspection docket, directing the driver to the appropriate stockpile, inspecting the material as it is unloaded, following the *Method for handling suspected contaminated material* if suspected ACM is observed, and signing the docket to indicate the second inspection has occurred.

The plant operators receive formal/ongoing asbestos awareness training and observe all material for potential ACM.

- Records: all incoming loads are recorded on the Receiving Daily Report and rejected loads are recorded on the Rejected Loads Register. A three part docket system is implemented at the weighbridge, which record the initial inspection at the weighbridge and second inspection at the raw feed stockpile area.
- Outgoing loads: each outgoing load is not inspected. However, product is tested weekly for potential hazardous material in accordance with *Australian Standard 1141.3.1.9.2 – Sampling off a stockpile using a shovel*, with samples inspected for ACM then sent to an accredited laboratory for hazardous material testing. If hazardous materials are detected, a hygienist is engaged to devise a risk-based management strategy.



After 12 consecutive satisfactory samples have been obtained, the sampling frequency is reduced to monthly. Sampling reverts to weekly for 12 sampling events after contamination is discovered and managed.

- Proportion of material inspected: all incoming material is inspected. Not all outgoing material is inspected, however, the above testing regime is implemented at the facility and the risk of ACM being transported offsite in saleable product is greatly reduced as all incoming loads are inspected.

## 5 DETAIL REGARDING REPORTABLE INCIDENTS

Item 4 of the DPE correspondence states the following:

References to reportable incidents in the IEA Report provide insufficient detail to show that compliance with reporting requirements has been demonstrated with reporting requirements under Schedule D, Condition D5 of the Consent. For instance, it is stated in Section 3.4 of the IEA Report that 'correspondence [was] sighted' regarding the EPA's satisfaction about the non-compliance referred to in Item 3 above. It is not clear what correspondence was sighted and it is not clear if all the requirements of Schedule D, Condition D5 and reporting requirements of the EPL were met.

Please provide further details, supported by evidence, of when reportable incidents were reported to the EPA and DPE.

Correspondence related to the reportable asbestos incident is attached as described below.

5. Initial notification: the EPA was notified via telephone on 23 November 2017 that suspected ACM had been discovered at the client site and again on the same day when the presence of ACM had been confirmed (see table under Section 3 of Attachment 2).
6. Inspection protocol: Boral forwarded the proposed process flow chart based on *Draft Protocol for Managing Asbestos During Resource Recovery of Construction and Demolition Waste* (EPA 2014) to EPA on 28 November 2018 (Attachment 6).
7. EPA response to process flowchart: EPA provided feedback on the flowchart on 1 December 2017 (Attachment 7).
8. Boral and EPA response to EPA feedback: Boral responded to the EPA flowchart with additional information on 6 December 2017 and EPA responded with further clarifications on the flowchart on 7 December 2017 (Attachment 8).
9. Stockpile inspections: Boral advised EPA on 11 December 2017 that the potentially contaminated stockpiles at the facility were being inspected starting 12 December 2017 and EPA responded on that afternoon (Attachment 9).
10. Inspection progress: Boral advised EPA of stockpile inspection progress on 22 December 2017 and EPA acknowledged that afternoon (Attachment 10).
11. Inspection report: Boral provided the stockpile inspection report to EPA on 14 February 2018 and EPA requested further information that afternoon (Attachment 11).
12. Report follow-up: Boral followed-up the report with EPA on 22 February 2018 and EPA responded on 23 February 2018 that no further information was required (Attachment 12).
13. Annual Return: on 29 January 2018 EPA requested the 2017 Annual Return under the EPL be revised to include the asbestos incident, with the document re-submitted by Boral on 1 February 2018 (Attachment 13).
14. DPE: Boral informed DPE of the asbestos incident and its recording on the Annual Return on 13 February 2018 (Attachment 14). No response was received from DPE.

Note, the EPA states "Appropriate Action taken by licensee" under the 'non-compliance detail' page of the 2017 Annual Return page on the POEO Public Register.

## 6 ACTIONS FROM PREVIOUS AUDIT

Item 4 of the DPE correspondence states the following:

Include details regarding previous IEA (completed under DA 21-1-2002-i) and the status of audit actions.

The auditor believes it is not necessary to review actions from the previous IEA as:

- The previous IEA was in November 2006 as Boral was only required to complete an IEA within three years of commencement of operations; and the EPL has been varied 11 times since 2006, including pollution reduction programs which have resulted in changes to environmental management on-site.
- DA 21-1-2002-i has been relinquished and a new consent applies, which includes changes to the facility.

This audit is the first IEA under consent SSD 6525 and therefore there are no previous IEAs to be reviewed under this consent.

We are aware DPE audited compliance with DA 21-1-2002-i in December 2016. Boral submitted a compliance audit action plan to DPE on 20 January 2017 in response to the 2016 compliance audit. The action plan details actions and progress on addressing the non-compliances in the 2016 compliance audit.

The DPE compliance audit and Boral's action have not been considered in this IEA as it was not a previous IEA under SSD 6525.

# ATTACHMENT 1 – DPE AUDIT FEEDBACK



Contact: Thomas Minchin  
Phone: (02) 8289 6623  
Email: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)  
Our ref: SSD 6525

Greg Johnson  
Regional Environmental Manager NSW/ACT  
Boral Australia  
PO Box 6041  
NORTH RYDE NSW 2113

Dear Mr Johnson

**Boral Widemere Recycling Facility (SSD 6525) - Independent Environmental Audit 2017**

Reference is made to the Independent Environmental Audit (IEA) Report prepared by Element Environment for the Boral Australia Widemere Recycling Facility and submitted to the Department of Planning and Environment (the Department) on 23 March 2018, as required by Schedule D, Condition D7 of SSD 6525 (the Consent).

The Department has reviewed the IEA report and considers more information and corrections are required to satisfy the requirements of the Consent and the Department's *Independent Audit Guideline* (October 2015).

In accordance with Schedule D, Condition D7 of the Consent, please revise and resubmit the IEA Report by **COB 29 June 2018** to address the following:

**Environmental Protection Licence (EPL)**

1. The audit should assess compliance with the requirements of the Consent, other relevant approvals and the site's EPL in accordance with Schedule D, Condition D7(d) of the Consent. The IEA Report does not assess the compliance status of Widemere RRF against EPL 11815. Appendix B of the report provides a compliance checklist for SSD 6525 and a similar checklist should be provided for the EPL.

**Reporting of non-compliances**

2. Any non-compliances identified with conditions of the EPL should be reported as specific non-compliances as required by Schedule D, Condition D7(d) of the Consent. The IEA Report states that the EPA consider a non-compliance against Condition L4.1 of the EPL has occurred, but this is not reported as a non-compliance in the IEA Report.

**Insufficient detail regarding reported non-compliance**

3. The IEA Report identified a non-compliance with Schedule B, Condition B7 of the Consent had occurred through the site unknowingly accepting Asbestos Containing Material (ACM) and delivering some of this to a customer. The IEA Report provides insufficient details regarding this. Please provide the following details regarding this non-compliance:
  - The dates that ACM was accepted at the facility and when ACM material was provided to the customer;
  - The date that the EPA was notified of the incident;
  - Approximate volumes of ACM accepted to the site and provided to the customer;

- Further details about Boral's Inspection Program, such as; how is material accepted to the site inspected? Are all incoming loads inspected? Who does the inspections? Are records of inspections kept? Are outgoing loads inspected? What proportion of material is not inspected?

**Insufficient detail regarding reportable incidents**

4. References to reportable incidents in the IEA Report provide insufficient detail to show that compliance with reporting requirements has been demonstrated with reporting requirements under Schedule D, Condition D5 of the Consent. For instance, it is stated in Section 3.4 of the IEA Report that 'correspondence [was] sighted' regarding the EPA's satisfaction about the non-compliance referred to in Item 3 above. It is not clear what correspondence was sighted and it is not clear if all the requirements of Schedule D, Condition D5 and reporting requirements of the EPL were met.

Please provide further details, supported by evidence, of when reportable incidents were reported to the EPA and DPE.

**Actions from previous audit**

5. Include details regarding the previous IEA (completed under DA 21-1-2002-1) and the status of audit actions.

All new information provided in relation to this letter should be verified by the auditor. Any substantive changes to the audit findings should be summarised in a separate attachment to the final audit report in accordance with Section 5.1 of the Department's Independent Audit Guideline (October 2015).

In addition to the aforementioned, please update and maintain the facilities website in accordance with Schedule D, Condition D12 of the Consent.

Should you have any queries on this matter, please do not hesitate to contact me, as per the details above.

Yours sincerely



1.6.18

**Thomas Minchin**  
Compliance Officer

