



Your reference:
Our reference: DOC16/158622; EF13/4242
Contact: Steve Clair (02) 4908 6850

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Fiona Gibson

Dear Ms Gibson

**MIDAL CABLES MANUFACTURING PLANT, TOMAGO, (MP10_0039 MOD 10)
SECTION 75W MODIFICATION**

Reference is made to the Department of Planning and Environment (DPE) letter and attached documents dated 10 March 2016 titled "*Midal Cables International Pty Ltd, Tomago, NSW, Australia, Modification Environmental Assessment. Modification of Project Approval 10_0039*" ("the proposal"). DPE has sought Environment Protection Authority (EPA) comments on the proposal.

The EPA understands that the proposal seeks approval to increase the production limits applicable to the project by 10,000 tonnes per annum and to replace the existing wastewater treatment plant with a septic pump out system.

The EPA has reviewed the proposal and provides the following comments.

Replacement of the Existing Wastewater Treatment Plant.

The EPA is aware of historical performance issues with the current system at the premises and notes that the proponent has for some time been reliant on pump-out of the current system.

The EPA supports the proponent's investigation into other options for wastewater disposal from the premises.

Increase in Annual Production from 50,000 to 60,000 tonnes per annum.

The EPA has been working closely with the proponent for some time regarding ongoing issues with non-compliance with the air emission limits in Environment Protection Licence (EPL) 20254. The proponent has informed the EPA that a likely contributor to the ongoing exceedances is that aluminium received at the premises had not been cleaned by the method known as "tacking" prior to being decanted to the holding furnaces. Recent advice from the proponent indicated that fume generation was as a result of impurities still remaining in the molten metal prior to delivery at the premises.

The EPA notes that any increase in annual production capacity may further impact on the proponent's ability to meet the current air emission limits as detailed in EPL 20254.

The EPA has recently written to the proponent regarding ongoing non-compliance with the air emission limits in EPL 20254 and in the context of the proponent's recent EPL modification application to have the oxygen correction factor removed from the EPL. The EPA has an obligation to consider such matters in line with Section 45 of the *Protection of the Environment Operations Act 1997* (POEO Act) as reproduced below:

Matters to be taken into consideration in licensing functions

In exercising its functions under this Chapter, the appropriate regulatory authority is required to take into consideration such of the following matters as are of relevance:

(d) the practical measures that could be taken;

(i) to prevent, control, abate or mitigate that pollution, and

(ii) to protect the environment from harm as a result of that pollution,

The EPA considers that in this instance there are practical measures that can be taken to further control and mitigate air emissions from activities at the premises including "tacking" of aluminium and general housekeeping within the furnace shed to reduce ambient particulate concentrations.

Given the above considerations the EPA is unable to support the current modification to increase annual production rates at the premises until such time as the proponent can demonstrate that the current limits in EPL 20254 are being met and/or the requirements of section 45 of the POEO Act are fully addressed.

Please contact Steve Clair on (02) 4908 6850 if you require any further information regarding this matter.

Yours sincerely



PETER JAMIESON
Head Regional Operations Unit – Hunter
Environment Protection Authority