

**ENVIRONMENT PROTECTION ACT 1970 (“Act”)
SECTION 31A(5)
NOTICE OF AMENDMENT OF
POLLUTION ABATEMENT NOTICE**

TO: AUSTRALIAN NATIVE LANDSCAPES PTY LTD (ACN 001 749 980)

OF: 317 MONA VALE ROAD, TERREY HILLS, NSW 2084

WHEREAS a pollution abatement notice was dated 2 April 2007 for the reasons stated, in respect of premises occupied by you and situated at 527-529 Maroondah Highway, Coldstream ("the premises") which required you to comply with certain specified requirements;

NOW TAKE NOTICE that pursuant to section 31A(5)(b) of the Act EPA **HEREBY AMENDS** the requirements specified in the pollution abatement notice as set out herein.

DATED
2 July 2007

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MAXWELL KEITH COSTELLO
MANAGER, AUTHORITY DECISIONS
ENVIRONMENT PROTECTION AUTHORITY

NOTE:

IF FOUND GUILTY OF CONTRAVENING A REQUIREMENT TO WHICH THIS NOTICE IS SUBJECT, YOU MAY BE ORDERED TO PAY A FINE OF UP TO \$257,832 (SECTION 31A(7) OF THE ACT)

IN THE CASE OF A CONTINUING OFFENCE YOU MAY BE ORDERED TO PAY AN ADDITIONAL PENALTY OF UP TO \$128,916 FOR EACH DAY ON WHICH THE OFFENCE CONTINUES AFTER CONVICTION OR AFTER SERVICE BY THE AUTHORITY ON YOU OF A NOTICE OF CONTRAVENTION OF SECTION 31A(7).

ATTACHMENT "A"

REASONS FOR WHICH THE POLLUTION ABATEMENT NOTICE IS ISSUED

The Environment Protection Authority ("EPA") has issued this notice because:

- EPA has received numerous complaints regarding odour from the premises;
- EPA officers investigating complaints have verified odour offensive to the senses of human beings from the premises;
- EPA has determined that several aspects of the operation onsite are likely to contribute to the generation of offsite odour;
- EPA has received concerns from the public regarding the discharge of dust from the premises;
- EPA has received a report from Sustainable Infrastructure Australia entitled "Report on Odour Survey, February 2007" (henceforth referred to as the SIA report), detailing sources of odour identified at the premises and suggesting improvement plans and programs; and
- EPA is satisfied that a process or activity, which is occurring at the premises, has caused and is likely to cause pollution.

ATTACHMENT "B"
REQUIREMENTS

1. The occupier must ensure that odour offensive to the senses of human beings is not discharged beyond the boundary of the premises.
2. The occupier must ensure that nuisance dust is not emitted beyond the boundary of the premises.
3. The occupier must take necessary steps to ensure that anaerobic fermentation processes are minimized in stockpiles, windrows and the water recovery dam.
4. The occupier must implement the changes recommended in the SIA report, including;
 - a. modifications to the green waste receivals and processing area;
 - b. installation of aerated static piles in the stage 1 processing area;
 - c. installation of static pile windrows in the stage 2 processing area; and
 - d. modification of the wastewater recovery area;unless contrary to the requirements of this notice, in which case the requirements of the notice shall prevail.
5. The occupier must keep accurate records of all activities at the premises that may lead to the generation of odour and dust, including;
 - a. movement or handling of unshredded green waste;
 - b. shredding of green waste;
 - c. turning or movement of compost piles;
 - d. movement or screening of finished product;
 - e. aeration of the water recovery dam;
 - f. irrigation of compost with water from the water recovery dam; and
 - g. removal of sludge from the water recovery dam.
6. By 30 May 2007 the occupier must install a weather monitoring station at the premises approved by the EPA, that records the following parameters on a minimum 3 minute average period:
 - a. wind velocity;
 - b. temperature;
 - c. humidity; and
 - d. date and time;and on a minimum 24 hour average period:
 - e. rainfall.

Green waste receivals and processing

7. Green waste accepted at the premises (except for logs, wood chips, bark, bundled collections or pallet wastes) must not exceed 3200 tonnes per calendar month, without written permission from the EPA.

8. The occupier must ensure that green waste accepted at the site is treated to ensure that:
 - a. all odorous or putrid green waste is segregated and covered with a layer of mature compost within 4 hours of receipt; and
 - b. all green waste received at the site is shredded within a maximum of 24 hours from time of delivery.
9. The occupier must ensure that accurate records are maintained and kept, for the quantities of ;
 - a. green waste coming onto the site;
 - b. unshredded material stored in the green waste receipts and processing area;
 - c. material in the composting process;
 - d. finished material onsite; and
 - e. quantities of finished products leaving the site.
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11. By 4 May 2007 the shredder must be enclosed to the satisfaction of EPA to ensure that dust from shredder activity is contained within the green waste receipts and processing area identified in the plan of premises.

Stage 1 Composting

12. The occupier must construct the aerated static windrows and biofilter covers (such covers being mature compost) as detailed in the SIA report unless contrary to the requirements of this notice, in which case the requirements of the notice shall prevail.
13. The occupier must construct the aerated static windrows detailed in requirement 12, within the timeframes listed below:
 - a. by 7 May 2007, windrows 1-4 must be completed;
 - b. by 21 May 2007, windrows 5-8 must be completed;
 - c. by 20 June 2007, windrows 9-11 must be completed;
 - d. by 7 July 2007, windrow 12 must be completed.
14. Unless otherwise approved in writing by the EPA, the occupier must ensure that the aerated static windrows detailed in requirement 12:
 - a. are not more than 3 metres high;
 - b. have at least three temperature thermocouples installed per 14 metre length of aerated static windrow;
 - c. have at least one moisture sensor installed per 14 metre length of aerated static windrow;
 - d. have at least three oxygen sample tubes installed per 14 metre length of aerated static windrow;
 - e. have a biofilter cover of finished compost of no less than 300mm or a membrane cover approved by the EPA; and
 - f. are maintained in accordance with the temperature, moisture and oxygen levels given in Table 1.

Table 1.

	Aerated Windrows (Stage 1)	static Biofilter Cover	Static Windrows (Stage 2) and Windbreaks
Temperature	50-60°C	30-40°C	≤60°C
Moisture	40%-60%	50%-60%	40%-50%
Oxygen	>10%	>16%	>10%

15. The occupier must develop a monitoring program to demonstrate how these parameters detailed in Table 1 will be monitored and maintained in the aerated static windrows and biofilter covers.
16. The monitoring program required by requirement 15 must be submitted to EPA for approval by 4 May 2007.
17. By 13 June 2007, the occupier must submit to the EPA for approval a proposal for membrane covers for three of the aerated static windrows.
18. Within 30 days of approval of the proposal detailed in requirement 17, the occupier must implement the proposal.
19. The occupier must conduct odour monitoring and assessment of the membrane covers referred to in requirement 17.
20. By 15 August 2007 the occupier must submit a report to the EPA evaluating the covers referred to in requirement 17.
21. The occupier must ensure that the aerated static windrows detailed in requirement 12, are covered with approved membrane covers within to the timeframes listed below:
 - a. by 15 July 2007, windrows 1-2 must be covered;
 - b. by 31 July 2007, windrows 3-4 must be covered;
 - c. by 30 August 2007, windrows 5-7 must be covered;
 - d. by 30 September 2007, windrows 8-10 must be covered; and
 - e. by 31 October 2007, windrows 11-12 must be covered.

Stage 2 Composting and finished product area

22. By 4 June 2007, the occupier must construct the static windrows as detailed in the SIA report, unless contrary to the requirements of this notice, in which case the requirements of the notice shall prevail.
23. The occupier must ensure that the static windrows referred to in requirement 22:
 - a. are not more than 3 metres high; and
 - b. are maintained in accordance with the temperature, moisture and oxygen levels given in Table 1.
24. The occupier must develop a monitoring program to demonstrate how the parameters listed in Table 1 will be monitored and maintained in the static windrows.

25. The monitoring program required by requirement 24 must be submitted to EPA for approval by 4 May 2007.
26. The trommel referred to in the SIA report, must be enclosed such that:
 - a. by 4 May 2007, the rear screen, overburden area, and plastic extractor wall are covered; and
 - b. by 13 July 2007, the trommel roof is enclosed, sprinklers and mist sprays are installed, and plastic extractors are modified to prevent the migration of dust from the premises.

Windbreaks

27. The occupier must ensure that, until such time as they are removed, the temporary compost windbreaks and the biofilter covers of the temporary windbreaks detailed in the SIA report are maintained in accordance with the temperature, moisture and oxygen levels given in Table 1.
28. The occupier must develop a monitoring program to demonstrate how these parameters will be monitored and maintained in the temporary windbreaks and the biofilter covers of the temporary windbreaks.
29. The monitoring program required by requirement 28 must be submitted to EPA for approval by 4 May 2007.
30. By 9 July 2007, the occupier must submit to EPA for approval a plan to progressively remove offsite all offensive odorous material identified in the plan by 30 September 2007.
31. The occupier must implement the requirement 30 plan as approved by EPA, so that the process meets its progressive targets and is completed by 30 September 2007.
32. If the windbreak surrounding the receivals area is to be retained at the premises, the occupier must by 30 July 2007 submit to EPA for approval plans for the design and construction of the windbreak, including timeframes for both construction and removal of the windbreak as applicable.

Water Recovery Dam

33. The occupier must prepare a revised water management plan for the site. The water management plan must include:
 - a. water and stormwater management on site;
 - b. management of leachate and leachate reuse;
 - c. management of dam water quality, and water levels; and
 - d. a water monitoring program for the Water Recovery Dam.
34. The water management plan detailed in requirement 33.d. must be submitted to EPA for approval by 4 May 2007.
35. The water monitoring program detailed in requirement 33.d. must include:
 - a. coliforms;
 - b. E.coli;
 - c. conductivity;

- d. ammonia (N);
- e. biological oxygen demand;
- f. chemical oxygen demand;
- g. dissolved oxygen (field measurement);
- h. redox (field measurement);
- i. sulphate;
- j. nitrate; and
- k. total organic carbon.

Environment Improvement Plan

36. By 14 May 2007, the occupier must submit an Environment Improvement Plan (EIP) to EPA for approval prepared in accordance with EPA Publication 739 *Guidelines for the Preparation of Environment Improvement Plans*.
37. The EIP referred to in requirement 36 must include specific consideration of the following aspects.
- a. Standard operating procedure for the green waste receives area, including:
 - i. procedures for ensuring green waste is shredded within 24 hours of receipt;
 - ii. procedures to ensure that, in the case of plant break down, accident or upset, green waste accepted at the site is handled and stored in a manner to prevent the release of odour;
 - iii. procedures for treating and storing incoming material which is degraded or putrid, to ensure that odour is minimised;
 - iv. construction and maintenance of temporary windbreaks;
 - v. monitoring procedures and frequencies for the temporary windbreaks;
 - vi. identification of all risks and hazards posed by this aspect of the operation; and
 - vii. contingency plans to address all of the risks and hazards identified in (vi).
 - b. Standard operating procedures for the Stage 1 composting area, including:
 - i. the construction and maintenance of the aerated static piles;
 - ii. the placement of temperature, moisture and oxygen probes;
 - iii. construction and maintenance of the biofilter;
 - iv. monitoring procedures and frequencies;
 - v. identification of all risks and hazards posed by this aspect of the operation; and
 - vi. contingency plans to address all of the risks and hazards identified in (v).

- c. Standard operating procedures for the Stage 2 composting area:
 - i. construction and maintenance of the static piles;
 - ii. monitoring procedures and frequencies;
 - iii. identification of all risks and hazards posed by this aspect of the operation; and
 - iv. contingency plans to address all of the risks and hazards identified in (iii).
- d. Standard operating procedures for the Water Recovery Dam, including:
 - i. monitoring frequency and procedures;
 - ii. identification of all risks and hazards posed by this aspect of the operation; and
 - iii. contingency plans to address all of the risks and hazards identified in (ii).
- e. Fire management and prevention plan endorsed by the Country Fire Authority.
- f. A continuous improvement plan, which assesses strategies to continuously improve the site with particular reference to odour generation, including evaluation of various types of membrane, covers.

Monitoring and Reporting

Operational

- 38. By 4 May 2007, the occupier must supply to EPA for approval, methods of record keeping employed in regard to requirements 5, 8 and 9.
- 39. All records kept in regard to requirements 5, 8 and 9 must be kept in electronic form and made available to an EPA authorized officer on request.

Water

- 40. Results obtained from the water monitoring program specified in requirement 33.d. must be recorded and made available to an EPA authorized officer on request, and must be reported to EPA on a monthly basis.

Dust

- 41. All dust monitoring results produced for the site must be made available to an EPA authorized officer on request, and must be reported to EPA on a monthly basis.

Odour

- 42. By 4 May 2007 the occupier must provide to EPA for approval, a methodology for evaluation of the odour reduction methods employed onsite:
 - a. assessment of onsite and offsite odour;
 - b. monitoring procedures and frequencies; and
 - c. comparisons between aerated static piles with biofilters and aerated static piles with various other membrane cover materials.

43. By 30 May 2007 the occupier must implement a monitoring program in accordance with the methodology referred to in requirement 42.
44. The occupier must supply the results of the odour monitoring program referred to in requirement 43 to the EPA within one week of the results being provided to the occupier.
45. By 30 September 2007 the occupier must supply to EPA an assessment of the odour monitoring program; the report must contain but should not be restricted to; assessment of the changes made onsite and their impact on odour generation.

ATTACHMENT "C"
SITE PLAN

