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18 SEP 2018

Ms Merri Southwood
President
Greenwich Community Association
PO Box 5057
GREENWICH NSW 2065

Email: southwood@bigpond.com

Dear Ms Southwood

Thank you for your letter dated 8 August 2018 regarding your ongoing concerns with environmental performance at the Viva Energy Pty Ltd ("Viva") Gore Bay Terminal at Greenwich. I appreciate you bringing these concerns to my attention and I do apologise for the delay in responding.

I would like to take this opportunity to reiterate the Environment Protection Authority's (EPA's) commitment to maintaining and improving the environmental performance of Viva's activities at Gore Bay. The EPA actively manages Viva's environment protection licence (EPL); this includes a minimum of two site inspections annually under the EPA's risk-based licensing framework, regular meetings with the company and the community, responding to specific complaints and compliance enforcement actions, including a major prosecution currently before the Land and Environment Court and pollution reduction programs. In addition, the EPA takes immediate action with emergency incidents

I understand that a significant concern for the Greenwich Community Association (GCA) is potentially harmful volatile organic compounds (VOCs), which also contribute to odour, and shipping emissions. I note that your concerns began in earnest at a time when a new proposal for highly volatile fuel to be stored at the site was under consideration, but this has since been abandoned and only less volatile or heavy fuels such as those for cruise ships and more, continue to be stored on site. The EPA recognises the importance of preventing VOC emissions from the premises and has been working to improve Viva's management of its Vapour Emissions Control System (VECS). The primary purpose of the VECS is to control odorous emissions from product transfers of diesel and marine fuel oil between ships and storage tanks and to manage potential emissions from the storage tanks for those products.

As previously advised by the EPA, the VECS monitoring requirement previously on Viva's licence proved problematic to implement in practice, due to the plant configuration, and was not reflective of the principal purpose of the VECS as an odour management tool. Boundary monitoring is not considered to be an effective performance measure for reasons including influences from other pollution sources (for example over-head planes and even lawn mowers), the results not being fully representative of environmental impacts and practical challenges.

Reports required by the EPA from Viva in 2017 indicate that VOC emissions from the Gore Bay Terminal are being managed to achieve appropriate environmental outcomes. Viva has also submitted an odour management plan (OMP) for the VECS, which the EPA is reviewing.

Since the VECS upgrade in 2015 and subsequent optimisation, there have been fewer odour complaints. Environment Line has received 10 odour related complaints about the premises in 2018. Four complaints related to a single vessel unloading in early January. All complaints were actioned by the EPA and followed-up by Viva.

In view of the GCA's ongoing concerns about air emissions from the Gore Bay Terminal and the limitations of boundary monitoring, the EPA will consider potential further options for emissions and other assessments that can provide assurance that emissions are below the relevant health thresholds.

In relation to monitoring conditions applying to the White Bay Passenger Terminal, the activities at Gore Bay are not comparable to passenger vessels. Every site requires a tailored management approach. In Viva's case the VECS provides a management response that fits the activity being conducted. I note that the EPA does not licence activities of vessels visiting Gore Bay.

In relation to soil and groundwater monitoring, I note that Viva's EPL requires the company to submit annual soil and groundwater monitoring and investigation reports. These reports are reviewed by the EPA and no issues in relation to soil or groundwater contamination have been identified to date that require further investigation.

The EPA has been responsive to concerns raised by the GCA over a number of years, via email, meetings and formal correspondence, and works with other NSW government agencies to achieve the best possible outcomes for the environment and the community. This includes consulting with NSW Health where appropriate and then considering its advice.

I understand that NSW Health representatives also attended the 4 June 2018 Gore Bay Terminal Community Engagement Forum where air monitoring and boundary monitoring was discussed. The EPA considers the issues raised in your recent letter were addressed during that meeting. The EPA was disappointed to note that the newsletter distributed by the GCA after the meeting did not fully reflect the constructive nature of the discussions at the forum. The EPA also notes that draft minutes and the Gore Bay report for GCA's 20 June 2018 meeting do not accurately reflect the information the EPA has presented.

I understand that a community forum was held on Monday 10 September 2018, where the issues raised in your letter were further discussed in detail. While I appreciate the invitation to meet with the association, EPA officers attended on my behalf, with my Office providing my apologies to you on Friday 7 September 2018. I note from previous experience that the most effective approach to clarifying community questions and discussing the rationale for the EPA's decisions is face to face via community forums.

If you require any further information, please contact James Goodwin, Director Industry Sydney, EPA Metropolitan Branch, on 9995 6847.

Yours sincerely



ANISSA LEVY
Acting Chair and CEO
Environment Protection Authority