

**Consent Type:** Discharge Permit

**Activity authorised:** To discharge contaminants into air from an asphalt manufacturing plant and associated activities

**Location:** 54 Aerodrome Road, Omanu

**Spatial Reference:** -37.66745617907745, 176.20266694973193

**Consent duration:** This consent will commence in accordance with section 116 of the Resource Management Act 1991 and will expire on [35 years after commencement]

**Subject to the Conditions overleaf:**

<b>General</b>	
1	At no time shall the Consent Holder exercise the activity authorised by this resource consent at the same time that the activity authorised by [Existing Plant Consent] is <del>current</del> operating.
2	<p>Except as specifically provided for by other conditions of this consent, all activities to which this consent relates shall be undertaken generally in accordance with the information contained in the application for this consent and the documents submitted in support of the application including:</p> <ul style="list-style-type: none"> <li>• “Application Report;” and</li> <li>• “Response to Section 92(1) Request for Further Information”;</li> </ul> <p>Should there be any conflict between these documents and the Conditions, the Conditions of the consent shall prevail.</p>
<b>Performance Standards</b>	
3	The Consent Holder must at all times operate, maintain, supervise, monitor, and control all processes on site so that emissions authorised by this consent are maintained at the minimum practicable level.
4	The discharge must not result in odour that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the subject property.
5	There must be no discharge of particulate matter that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the subject property.
6	There must be no discharge of other gaseous emissions as a result of the activities authorised by this resource consent to the extent that it causes an adverse effect at or beyond the boundary of the subject property.
<b>Contaminant Discharge Controls and Limits</b>	
7	Within three months of commissioning the proposed asphalt plant, the Consent Holder must provide to the Bay of Plenty Regional Council (the Council) a report from an independent and appropriately qualified professional, which verifies that the design and installation of the plant is in accordance with conditions 8, 11, 12 and 13.
8	Emissions from the asphalt plant shall be discharged via a stack that is at least 27.6 metres in height relative to ground level.
9	The discharge of total suspended particulate (TSP) from the asphalt plant stack must not exceed a concentration of 30 mg/m <sup>3</sup> , corrected to zero degrees Celsius and one atmosphere pressure on a dry gas basis.
10	The Consent Holder must operate and maintain the fuel combustion equipment and the air emission control equipment in a manner that minimises, as far as practicable, the discharge of contaminants into the air from the asphalt plant stack.
11	<p>a) Air from the aggregate dryer and screens must be extracted to a baghouse filtration unit prior to discharge via the asphalt plant stack.</p> <p>b) Air from the mixing unit and hotmix storage bins must be extracted to a bluesmoke aerosol filtration system, prior to discharge via the asphalt plant stack.</p>
12	The baghouse filtration unit must be fitted with differential pressure monitoring. Monitoring of the system during operation shall establish the appropriate range for the pressure drop, and alarm set points for abnormal operating conditions must be

	included in the air quality management plan.												
13	The Consent Holder shall ensure that all bitumen storage tanks are vented through a water filtration system.												
14	<p>The aggregate stockpiles, yards and associated processes are to be managed in such a way as to keep fugitive dust emissions to a practicable minimum. Measures must include at least the following:</p> <ul style="list-style-type: none"> <li>(i) The yard surfaces must be kept clean and free of surface dust as far as practicable;</li> <li>(ii) Aggregate stockpiles liable to be dusty if dry shall be covered, sheltered from prevailing winds, in order to minimise emissions from this source;</li> <li>(iii) Vehicle speeds shall be controlled to minimise dust emissions; and</li> <li>(iv) High traffic areas of the site shall be sealed.</li> </ul>												
15	The aggregate drying drum burner must be serviced at least annually to ensure efficient operation. Servicing must include setting of the air to fuel ratios to minimise the generation of products of incomplete combustion of the fuel. Air emissions control equipment (drying drum baghouse, bluesmoke aerosol filter) must also be serviced at least annually. Service documentation must be made available to the Council on request at all reasonable times and a copy must be forwarded to the Council annually.												
16	<p>Hot mix cut-back asphalt shall not be manufactured on the site.</p> <p><i>Advice note: Cut-back asphalt is asphalt manufactured with bitumen that is cut with kerosene or mineral diesel as a hot or high temperature process.</i></p>												
17	<p>The only fuels permitted to be used in the asphalt plant are natural gas, automotive diesel oil, biodiesel or used lubricating oil (ULO). When ULO is burnt it must not exceed a fuel burning rate of 1000 kg/hr and it must meet the following specifications.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><b>Contaminant</b></th> <th style="text-align: left;"><b>Allowable level</b></th> </tr> </thead> <tbody> <tr> <td>Sulphur content</td> <td>5,000 ppm w/w (0.5 %) or less</td> </tr> <tr> <td>Arsenic</td> <td>5 ppm w/w or less</td> </tr> <tr> <td>Cadmium</td> <td>2 ppm w/w or less</td> </tr> <tr> <td>Chromium</td> <td>10 ppm w/w or less</td> </tr> <tr> <td>Lead</td> <td>100 ppm w/w or less</td> </tr> </tbody> </table>	<b>Contaminant</b>	<b>Allowable level</b>	Sulphur content	5,000 ppm w/w (0.5 %) or less	Arsenic	5 ppm w/w or less	Cadmium	2 ppm w/w or less	Chromium	10 ppm w/w or less	Lead	100 ppm w/w or less
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18	The Consent Holder must maintain a log of the source of waste oil and the volume used per annum. This log must be made available to the Council at all reasonable times.												

19	<p>The Consent Holder must collect a representative sample of each delivery of ULO supplied and after every third delivery, combine the three samples and test the composite sample to determine compliance with condition 17. Results of the testing must be made available to the Council on request at all reasonable times and forwarded to the Council annually.</p> <p>Following no less than two years' worth of compliant sampling results, the Consent Holder may submit a proposal to the Council to reduce ULO monitoring frequency. Any proposed monitoring alteration must be accompanied by relevant details and justification that the reduced frequency will provide reasonable representation of the quality of waste oil. The Consent Holder must not implement any ULO monitoring changes until certification from the Council has been provided to confirm that the monitoring frequency will provide for representative monitoring.</p>
20	<p>In circumstances where ULO test results are available from the supplier, the Consent Holder may supply these test results to the Council instead of undertaking its own sampling regime as required by condition 19, provided that all documentation that may be necessary to ascertain how representative the oil sample is shall also be available to be provided to the Council</p>
21	<p>Neither mineral diesel oil nor kerosene shall be used as release agents on the trays of any vehicles, including trucks and trailers, receiving hot mix products.</p>
<p><b>Monitoring</b></p>	
22	<p>A sampling port must be installed and maintained to enable the testing of emissions from the asphalt plant stack. The sampling port must be an internally threaded British Standard Pipe (BSP) fitting of six inches (or greater) internal diameter (ID). As far as practicable this should be a location at least 7 duct diameters downstream and 2 duct diameters upstream of any bend, obstruction, inlet, fan, or exit. Safe access for sampling must be provided.</p>
23	<p>The Consent Holder must test stack emissions for TSP annually to demonstrate compliance with condition 9 of this consent. Testing must be done under normal plant operating conditions using an isokinetic method such as USEPA Method 5, USEPA Method 17, ISO 9096:2017, ASTM D3685/D3685(2021), or an equivalent method agreed with the Council, by persons experienced in the use of such methods. Each sampling occasion shall comprise a minimum of three tests. The plant operating conditions during the test period must be recorded and reported.</p> <p>The Consent Holder must notify the Council at least 48 hours prior to the testing taking place and shall forward the results of all emissions testing to the Council and Manawhenua no later than one month after receiving the results of the testing.</p> <p>Any test that fails to comply must be repeated as soon as practicable and at least within 2 months of the previous test.</p>
24	<p>Irrespective of the annual testing interval specified in condition 23, the Consent Holder shall ensure that stack emission testing, in accordance with condition 23, is undertaken on at least one occasion and within one month of the first time that waste oil is used as a fuel source for asphalt manufacture. Testing must be undertaken while ULO is being combusted.</p>
<p><b>Air Quality Management Plan</b></p>	

25	<p>The Consent Holder must at all times maintain an Air Quality Management Plan (AQMP) and must ensure that all consented activities are conducted in general accordance with the AQMP.</p> <p>As part of the preparation of the AQMP, the consent holder must provide Manawhenua with a draft copy of the AQMP for review and comment at least 30 working days prior to submitting it to the Council for certification.</p> <p>The AQMP must be maintained and reviewed every two years by a suitably qualified and experienced person(s) to ensure that it documents how compliance will be achieved with the conditions of this consent. If necessary, following this review, the AQMP must be updated. As a minimum the AQMP must address the following specific matters:</p> <ul style="list-style-type: none"> <li>(i) A description of the facilities and maintenance procedures;</li> <li>(ii) Procedures for responding to abnormal operation, in particular equipment fire;</li> <li>(iii) Procedures to monitor for bag-house failures, in particular the use of differential pressure monitoring, and the shutdown of the plant in the event of suspected filter failure;</li> <li>(iv) Methods for controlling vehicle speeds on site and the sealing of high traffic areas of the site;</li> <li>(v) Fugitive dust management in the yard and aggregate handling areas;</li> <li>(vi) Operation of asphalt plant to minimise odour;</li> <li>(vii) Operation of ancillary activities (e.g. bitumen storage and transfer) to minimise odour;</li> <li>(viii) Bitumen tank water filter maintenance and servicing;</li> <li>(ix) Complaint response procedures and contact telephone numbers for parties who are responsible for responding to complaints;</li> </ul>
	<ul style="list-style-type: none"> <li>(x) Individual responsibilities for staff of the Consent Holder, including responsibility for ensuring the effective application of the measures identified above;</li> <li>(xi) Procedures for reporting the required information to Manawhenua; and</li> <li>(xii) Procedures for keeping the Plan up to date.</li> </ul> <p>Except where the Council provides notice in writing that it refuses to approve the AQMP (or any proposed changes to it), then should approval not be provided within 20 working days, the consent holder shall regard the AQMP (or any proposed changes to it) as being deemed to have been approved.</p> <p><b>Advice Note:</b> <i>Should manawhenua choose not to accept the offer to provide feedback on the draft AQMP, or do not respond to the offer within the timeframe set out above, that does not constitute a non-compliance of this consent condition.</i></p>
26	<p>The Consent Holder must provide a copy of any subsequent revisions of or amendments to the AQMP for review by the Council. Subject to any other condition of this consent the AQMP must be implemented, and all activities must be undertaken in accordance with the latest version of the AQMP certified by the Council.</p> <p>Except where the Council provides notice in writing that it refuses to certify the AQMP (or any proposed changes to it), then should certification not be provided within 20 working days, the Consent Holder must regard the AQMP (or any proposed changes to it) as being deemed to have been certified.</p> <p><b>Advice Note:</b> <i>The certification (or withholding of certification) shall be limited to the Council's assessment of whether Condition 25 (matters (i) through (xi)) have been addressed in sufficient detail so as to ensure that the AQMP achieves the objectives of this Condition.</i></p>

27	<p>The Consent Holder must maintain a log of all complaints (including those received via third parties including the Council) regarding dust, odour, or other contaminants. The Consent Holder must notify the Council of each complaint within 48 hours of receiving the complaint. The Consent Holder must record the following details in a complaint log:</p> <ul style="list-style-type: none"> <li>(i) Time and type of complaint, including details of the alleged incident, i.e. duration, location, character, intensity and any effects noted (where known and reported by the complainant);</li> <li>(ii) Name, address and contact phone number of the complainant (if provided);</li> <li>(iii) As far as practicable, the weather conditions including wind direction at the time of the alleged incident;</li> <li>(iv) The likely cause of the alleged incident and the response made by the Consent Holder including any corrective action undertaken;</li> <li>(v) Future actions proposed as a result of the complaint; and</li> <li>(vi) The response from the Consent Holder to the complainant.</li> </ul> <p>The complaint log must be made available to the Council at all reasonable times and a copy must be forwarded to the Council annually.</p>
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**Mātauranga Māori Environmental Monitoring Plan**

28	<p>The Consent Holder must prepare a Mātauranga Māori Environmental Monitoring Plan (MMEMP) prior to exercising this consent. The purpose of the MMEMP is to establish a methodology to monitor cultural values of the natural environment within and around the Site for the duration of this consent.</p> <p>To achieve this purpose, the MMEMP must include:</p> <ul style="list-style-type: none"> <li>(i) A methodology, established with manawhenua to monitor the health of the environment; and</li> </ul>
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	<ul style="list-style-type: none"> <li>(ii) Locations of monitoring points for site discharges.</li> </ul> <p>The MMEMP must be developed with manawhenua. In this respect, the Consent Holder must arrange a hui to discuss the contents of the MMEMP and must provide manawhenua an invitation to attend the hui no less than 30 working days ahead of the hui date.</p> <p>The final MMEMP must be provided to manawhenua for comment at least 20 working days prior to submitting the MMEMP to the Bay of Plenty Regional Council for information.</p> <p>Implementation of the MMEMP must include the following:</p> <ul style="list-style-type: none"> <li>(iii) An initial monitoring survey to be undertaken by manawhenua prior to works associated with the Asphalt Plant replacement commencing; and</li> <li>(iv) Unless otherwise agreed with Manawhenua, ongoing monitoring survey at least every two years on average thereafter.</li> </ul> <p>Any changes proposed to the MMEMP, or its implementation, must be confirmed in writing by the Consent Holder following consultation with manawhenua, prior to the implementation of any changes proposed.</p> <p><b>Advice Note:</b> <i>Should Manawhenua choose not to take up the offer to consult with the Consent Holder in respect of preparing the MMEMP, or attend a hui to discuss the preparation of the MMEMP, or choose not to, or is for any reason, not able to carry out the cultural monitoring set out in the MMEMP, these circumstances do not constitute non-compliances of this consent condition.</i></p>
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**Reporting**

29	<p>The Consent Holder must notify the Council within 24 hours prior to the first exercise of this resource consent.</p>
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30	The Consent Holder must notify the Council as soon as practicable, and as a minimum requirement within 24 hours, of the Consent Holder becoming aware of any accidental discharge, plant breakdown, or other circumstances which are likely to result in the performance standards of this resource consent being exceeded. The Consent Holder must, within 7 days of the incident occurring, provide a written report to the Council, identifying the exceedance, possible causes, steps undertaken to remedy the effects of the incident and measures that will be undertaken to ensure future compliance.
<b>Greenhouse Gas Emissions Plan</b>	
31	No later than 5 years from the granting of this consent, the Consent Holder must provide a Greenhouse Gas (GHG) Emissions Plan to the Council to demonstrate how the site minimises and/or will reduce GHG emissions over time through improving energy use and adopting relevant best practices. The GHG Emissions Plan must be prepared by a suitably qualified person and comply with any national direction provided by Central Government (policies, standards, guidelines, and templates) in place at the applicable time. In the event there is no national direction by Central Government in place at the applicable time, the GHG Emissions Plan shall follow industry best practice.
<b>Review of Best Practicable Option for Minimising Discharges of Contaminants to Air</b>	
32	Once every 10 years from the granting of this consent, the Consent Holder must provide a report to the Council, from an appropriately qualified professional, that investigates and evaluates alternative technologies to address whether the existing systems still represent the best practicable option for minimising discharges of contaminants to air. The report may be independently reviewed and if it is concluded by that review that the best practicable option has been redefined, the Council may negotiate with the Consent Holder an appropriate time period for implementation of measures to adopt the advanced technology.
<b>Review of Consent Conditions</b>	
33	<p>The Council may within three months of commissioning of the asphalt plant, and every two years thereafter, or in the three-month period after the receipt of a report in accordance with Condition 31 and 32, serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:</p> <ul style="list-style-type: none"> <li>(i) To review the effectiveness of the conditions of this consent in avoiding or mitigating any adverse effects on the environment, including cumulative effects which may arise from the exercise of the permit, and which it is appropriate to deal with at a later stage, or which become evident after the date of commencement of the permit;</li> <li>(ii) To review the adequacy of and the necessity for monitoring undertaken by the Consent Holder;</li> <li>(iii) Where results from the testing undertaken to comply with Conditions 9 and 17 show that the limits in Conditions 9 and 17 are being exceeded;</li> <li>(iv) To respond to an analysis of the complaints register where substantiated complaints are occurring more than once per month;</li> <li>(v) To require the adoption of the best practicable option to remove or reduce any adverse effects on the environment</li> <li>(vi) Ensuring that the conditions of this consent are effective in avoiding and mitigating adverse effects;</li> <li>(vii) Ensuring that the monitoring and reporting required by this consent are sufficient and necessary, in particular the need for monitoring of particulate matter or odour emissions from the asphalt plant;</li> </ul>

	<p>(viii) If appropriate, adding to, deleting, or amending the conditions, to avoid, remedy or mitigate such effects, or adding to, deleting, or amending the monitoring and reporting conditions, or amending the timing and frequency of subsequent reviews; and</p> <p>(ix) To ensure the conditions of this consent are consistent with any:</p> <ul style="list-style-type: none"> <li>• National Environmental Standard;</li> <li>• other Regulations; and</li> <li>• relevant Regional Plan, Regional Policy Statement or National Policy Statement promulgated under the Resource Management Act 1991 or replacement legislation.</li> </ul>
<b>Existing Asphalt Plant</b>	
34	<p>The existing asphalt plant may continue to operate under the terms and conditions of Air Discharge Permit 64720 provided that the existing asphalt plant:</p> <p>(i) Must cease operating no later than 2 years from the commencement of this consent;</p> <p>(ii) Must not operate at the same time as the proposed asphalt plant.</p>
35	<p>Notwithstanding condition 34 above, the existing asphalt plant shall also be subject to the following conditions additional to those in Air Discharge Permit 64720:</p> <p>(i) Conditions 25 and 26: Air Quality Management Plan</p> <p>(ii) Condition 27: Complaints Log</p> <p>(iii) Condition 30: Reporting</p>
<b>Administrative Charges</b>	
36	<p>The Consent Holder must pay to the Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.</p>
<b>Advice notes:</b>	
1	<p><i>The Consent Holder volunteered the following conditions:</i></p> <p><i>(i) Condition 27</i></p> <p><i>(ii) the parts of conditions 18, 19, 23 and 25 that relate to manawhenua</i></p>