

Wednesday, 8 February 2023

Allied Asphalt Ltd (AAL) c/- Cogito Consulting Ltd
Attn: Craig Batchelar
Private Bag 12016 Tauranga Mail Centre
Tauranga 3143



Dear Craig,

Resource consent application RM22-0649 – to discharge contaminants to air, disturb contaminated land, undertake earthworks and discharge stormwater – Request for further information.

Having reviewed your application, we request further information to gain a full understanding of the proposal and/or its potential environmental effects (pursuant to section 92(1) of the Resource Management Act 1991 (RMA)).

Air Discharge

1. Can the applicant provide more information around the details of the recycled dust suppression (sprinkler) system used to reduce entrained dust around aggregate storage and handling areas.
2. Please provide more information around the effectiveness of the water bath system used to remove odour.
3. Please provide further details on the blue smoke aerosol filter will be used to remove oils and semi volatile organics, such as principle of operation, efficiency etc.
4. Provide a comparison of the different NOx emission factors for waste oil in drum mix and batch mix plants. Appendix D (D2.3.3).
5. The applicant needs to confirm how particulate (and other contaminants) has been assessed. It is stated that the maximum ground level concentrations for 24 hour and annual averages are taken from outside of the industrial zone where sensitive receptors are located. Short-term averages such as 8 hour and 1 hour averages include maximum ground level concentrations within the industrial zone. Clarification around this approach is needed and assurance that concentrations offsite (but within the industrial zone) do not exceed any Assessment Criteria. Appendix D (D3.2.1).
6. Confirm that modelling of PM10 and PM2.5 is based on an emission limit value of 30mg/m3 and other combustion gases and contaminants are based on waste oil as opposed to natural gas. Appendix D Table 11.
7. Regulation 17:
 - a. The new plant will increase in PM10 by more than 2.5ug/m3 in the airshed. The applicant needs to provide confirmation of the MGLC in the Airshed.
 - b. Provide the contour map for the current plant for 24-hour average PM10.
 - c. Calculations in Table 7.1 (page 47) state an emission rate of 1kg/hr from the proposed plant, however, elsewhere an emission rate of 1.25kg/hr has been stated (which is equivalent to 30mg/m3). Confirm which is to be used and recalculate where the incorrect emission rate has been used.
8. Please provide 99.9% odour concentrations (from both plants) for comparison against MfE guidance or give details as to why only the 99.5% has been provided. Appendix D Table 22.

Contaminated Land

1. Please provide an update PSI that includes a “SQEP certification of report” in accordance with Appendix C of the current MfE CLMG No.1 (revised 2021).
2. Please confirm via the PSI whether a DSI is recommended.

3. Please provide a DSI, as any Contaminated Soil Management Plan should be completed based on the results of a DSI.
4. Please submit a Contaminated Soil Management Plan, as part of the application (rather than in accordance with consent conditions).
 - a. DW R25 restricts Councils discretion to the remediation processes to be employed and degree and extent of off-site discharges (among other matters). The intent of the rule is to allow BOPRC to assess the effects of any discharges of contaminants to the environment resulting from active remediation and other disturbances of contaminants on a case-by-case basis.
 - b. BOPRC cannot adequately assess the remediation processes proposed or effects of any discharges of contaminants to the environment without a CSMP provided in support of the resource consent application.
 - c. It is noted that any application to the City Council under the NES-CS will also require the preparation of a CSMP.

Note: The DSI and CSMP are required to be prepared by a suitably qualified and experienced practitioner and prepared in accordance with the current edition of the Contaminated Land Management Guidelines No.5 – Site Investigation and Analysis of Soils, Wellington, Ministry for the Environment and No.1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (as relevant).

Stormwater

1. Please provide an initial hydraulic assessment to ensure the stormwater treatment proprietary device has sufficient hydraulic head to drive the intended operations effectively.
2. Information on the propriety device and the treatment provisions is required to understand how the system will perform to the permitted activity standards for water quality.

Note: It has been calculated that the 10% AEP rate of discharge is 210 L/s, so will exceed the permitted activity threshold for discharge rate.

3. Please provide confirmation that TCC will accept the stormwater discharge into their comprehensive stormwater network.

Tangata whenua engagement/cultural effects assessment

1. Please provide an update to any engagement with tangata whenua that has occurred since lodging the application, and an update to the cultural effects assessment (if required).

Earthworks

Note: As per Rule LM R1 (h) of the Regional Natural Resources Plan, earthworks shall not disturb an identified contaminated site. The site is identified as a HAIL site and therefore resource consent is required as a Discretionary Activity under Rule LM R4. However, as the volume and area comply with the requirements of Rule LM R1, the activity will be assessed with regard to the Permitted Baseline and will be considered in conjunction with the contaminated land disturbance (being the primary activity).

Once we receive the information above, we'll continue processing your application.

When and how should I respond?

You must respond to this request by **1 March 2023** (in accordance with section 92A(1) of the RMA). You may either:

- Provide the information;
- Write to tell us you'll provide the information but need more time; or
- Write to tell us you refuse to provide the information.

What happens if I do not respond or refuse to provide the information?

If you do not respond by **1 March 2023** or refuse to provide the information, we must continue processing your application (under section 92B(2) of the RMA), but your application is likely to be notified (which is likely to cost more) and/or declined.

Please feel free to contact me about this letter on 0273344256 or Danielle.petricevich@4sight.co.nz.

Yours faithfully,



Danielle Petricevich
Consultant Consents Planner