



DOC18/752495-01

Mr Andrew Doig
Australian Sustainable Business Group
PO Box 326
WILLOUGHBY NSW 2068

Email: andrew@asbg.net.au

Dear Andrew

Thank you for your letter dated 28 September 2018 regarding the use and application of the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* (the Approved Methods).

The Approved Methods provides the statutory methods for modelling and assessing emissions of air pollutants from both existing and proposed stationary sources in NSW. It has a role in a range of regulatory and statutory processes and is referred to in Part 5: Air Impurities Emitted from Activities and Plant in the *Protection of the Environment Operations (Clean Air) Regulation 2010* (the Clean Air Regulation). As clearly stated in the Approved Methods, the document may also be referred to in conditions attached to statutory instruments such as environment protection licences, and environmental assessment requirements under planning legislation. The Approved Methods has been subject to review and stakeholder consultation prior to being finalisation.

The role of the Approved Methods, specifically the application to existing and proposed stationary sources, is outlined in the document. Specifically, as stated in the Clean Air Regulation an application for the variation of the conditions of an environment protection licence must be accompanied by a report including the results of an air pollutant impact assessment, conducted in accordance with the Approved Methods.

In relation to transition arrangements for application of the Approved Methods to planning proposals, clarification has been provided on the Environment Protection Authority's (EPA) website to ensure that there would be no 'shifting of goal posts' midway through the development assessment processes.

It should be noted that the Approved Methods alone is not used as the basis of environmental requirements and the assessment criteria in the document are not used as statutory limits. Decisions on emission limits for environment protection licences are made considering the following sections of the *Protection of the Environment Operations Act 1997*:

- s45: relevant factors such as the likely impact of pollution and the practical measures that can be taken to limit the pollution
- s124: proper and efficient operation of plant and equipment
- s128: relevant requirements under the Clean Air Regulation.

Further information on how the EPA sets emission limits can be found in section 10 of the Approved Methods.

Phone 131 555	Fax 02 9995 5999	PO Box A290	59-61 Goulburn Street	info@epa.nsw.gov.au
Phone 02 9995 5555	TTY 131 677	SYDNEY SOUTH	SYDNEY NSW 2000	www.epa.nsw.gov.au
(from outside NSW)	ABN 43 692 285 758	NSW 1232	AUSTRALIA	

In relation to the use of ground level monitoring, the EPA does not ignore this type of data. All information provided to the EPA is assessed and considered in the context of the site and the scientific and technical information relevant to the matter. Whilst ground level monitoring data can provide useful information it is almost always limited both temporally and spatially and unless it is directly related to specific and detailed meteorological and operational data it may not be representative or reflect the peak impacts that are often relevant to decision making. Current international practice is that dispersion modelling is an appropriate, and cost effective, approach where there is a need for data that captures both spatial, temporal, meteorological and operational variability to ensure that appropriate decisions are made to manage impacts on the community.

All versions of the Approved Methods (2001, 2005 and 2016) have clearly defined a sensitive receptor as "a location where people are to likely work or reside", with examples provided such as a dwelling, school, hospital, office or public recreational area. It should be noted that the definition of a sensitive receptor is irrelevant to the assessment of toxic pollutants as the criteria for these pollutants apply at the boundary of the facility.

The use of background air quality in an assessment (a cumulative assessment) enables the impact of emissions on ambient air quality to be assessed and compared to the health-based assessment criteria. This approach is an essential step in enabling the potential human health impacts of air pollution to be appropriately assessed and transparently managed.

Section 5.1.3 of the Approved Methods provides information regarding dealing with elevated background concentrations. The EPA routinely discusses appropriate technical approaches for this matter, and other air modelling and assessment issues, with licence holders and their expert advisers to ensure that assessments meet Approved Methods requirements and take into account site specific considerations where relevant.

In order to provide further clarity for ASBG members on the application of the Approved Methods, I would be happy to arrange a meeting with them to further understand their specific concerns. If you would like to discuss this issue further, please contact me on 9995 5577

Yours sincerely



DAVID FOWLER
Director Regulatory Reform and Advice
Environment Protection Authority