

Adelaide Brighton Cement proposed licence conditions consultation – Summary of submissions

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1	<p>Moving into the area in 2013 we have been bombarded with pollution from all angles. Noise, dust, vibration from traffic and ABC and other businesses operating in the area.</p> <p>While steps have been taken to reduce this, I feel allowing any incremental provisions to allow pollution to increase is a bit of a slap in the face. I do not like the fact that they get this lee way. There has been a marked improvement, don't undo this effort.</p> <p>Yes they provide employment, spend money, provide lots of economic benefit to the state but at our expense. There must be away for us to coincide with minimal impact to each other.</p> <p>If it's not completely viable for them, what other measures could be introduced to improve it for residents. Eg, heavy vehicles off Victoria road (bypass). Stricter hours of operation.</p>
2	<p>On reading your pamphlet which I received on Monday 20/09/17 at the Community EPA meeting at the Folklore Café, I read that there is going to be a noise management plan which is about time. But what I would like to see is noise monitoring in people's homes like TELSTRA does with its offices in the city for city noise. Because where my home is, the noise is unbearable day and night and the dust is no better throughout my home.</p> <p>In the sunlight, my door has a green tinge to it which I believe is lime. I am glad I don't have solar panels and a car but I do have windows and an air conditioner.</p> <p>I moved into my home in 2006 and then 2013 the noise started. Until 2013, my home was peaceful quiet and I could breathe and no vibrations. I have been taking medication due to this issue because I am mentally physically and emotionally a mess.</p> <p>I have my own health issues to deal with and I feel that noise and dust monitoring should be placed inside residents' homes because I would like to watch a program on TV without pounding, thumping, thuds, roar and vibration. Have a good night's sleep without noise coughing sneezing and difficulty breathing and have my doors and windows open and even sit outside. And not take medication to live in my home or leave my home to get away from this noise and dust.</p> <p>Since ABC's last shutdown nothing has changed in my view. I could keep on writing to you on how it is affecting my life but I feel it goes on deaf ears. I am sure there are other residents that feel the same. Maybe the residents should go for a civil action to resolve this environmental issue.</p>

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	I would also like ABC to do something about the noise from the reclaimer in the large shed as noise travels and I have no buildings around to protect me. I get the brunt of it all – inside and outside of my home.
3	<p>This submission responds to draft conditions in the proposed ABC licence relating to the need to ensure environment improvement; alternative fuels; community engagement (CE); complaints; and noise.</p> <p>1 PLANS NEED TO ENSURE ENVIRONMENTAL IMPROVEMENTS</p> <p>Can EPA clearly say whether there will be reductions in dust emissions (PM_{2.5}, PM₁₀ and TSP) within this proposed licence? If YES, what is the expected quantum reduction on existing emissions of PM_{2.5}, PM₁₀ and TSP?</p> <p>Can the increased requirement for plans guarantee reductions in emissions without targets for measurable environment improvement set by the EPA within the proposed plans (or EIP)? Furthermore, why is there no requirement to ensure ABC is noise compliant or deadline for the noise management plan?</p> <p>Recommendation 1: It is recommended that the licence is conditional on meeting targets. On noise, there should be enough investment to reach compliance by December 2018 or ABC undertakes to offer insulation assistance to residents in non-compliant areas.</p> <p>2 ALTERNATIVE FUELS</p> <p>When does EPA plan to make a decision on the proposed increase of alternative fuels? Will it be finalized as part of this draft licence by 1 November 2017?</p> <p>3 COMMUNITY ENGAGEMENT</p> <p>Whether adopting the AA1000 Stakeholder Engagement Standard (SES) Principles (2015) or the SA Government’s preferred IAP2 standards for CE (see Attachment1), they emphasise the need for a values commitment, skills capacity as well as institutional support and resourcing for CE. To illustrate the organizational challenge involved, the AA1000 SES (2015) standard requires an organization to:</p> <p><i>...Acknowledge, assume responsibility for and being transparent about the impacts of your policies, decisions, actions, products and associated performance. It obliges an organisation to involve stakeholders in identifying, understanding and responding to sustainability issues and concerns, and to report, explain and be answerable to stakeholders for decisions, actions and performance. It includes the way in which an organisation governs, sets strategy and manages performance.</i></p> <p>Reflecting on the AA1000 SES and IAP2 CE standard, the draft licence conditions need further work to meet such standards.</p>

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	<p>Specification of public consultation requirements re EIP and other plans: The proposed licence acknowledges the need for an overall CE plan and public consultation re the EIP but there is no reference to CE requirements in other plans. It also does not require consultation with the ABC community liaison group (CLG) or the broader resident population in any of these plans and there is no requirement to resource CE in any of these plans. It is noted that many of these plans need to be developed early on in the licence and over the Christmas/New Year holiday period. This means a time constraint on CE.</p> <p>Recommendation 2: It is recommended that the new licence requires CLG input to all plans specified in the licence (including the EIP). Given the tightness of the deadlines for plans and EIP, it is recommended that EPA requires as a minimum that:</p> <ul style="list-style-type: none"> a the plans and EIP should take account of submissions from CLG community members and residents on the draft licence; b ABC submit draft plans/EIP to the CLG community members and post on its website for public comment before EPA approval; c These plans/EIP should also have a review date mid-way through the licence with the opportunity for further input by the CLG and the broader community. <p>Specification of requirements for CE plan: The proposed condition for the Community Engagement Plan (U-722) reads as follows:</p> <p><i>The licensee must</i></p> <p><i>3.4.1 develop and implement a Community Engagement Plan in consultation with key stakeholders; and</i></p> <p><i>3.4.2 provide public access to the Community Engagement Plan (and any subsequent amended version) by the compliance date (31/1/18)</i></p> <p>We support the inclusion of this condition but it is meaningless unless there is further specification of requirements and unless that plan is assessed and enforced. Based on experience to date, leaving it up to ABC to decide the contents and conduct of the plan is likely to disappoint. Many of the suggestions included in this submission have been proposed to ABC over the last two years and refused. It is also worth observing that ABC has no dedicated community engagement officer. In addition, based on our experience with ABC as a resident members of the ABC CLG, the organisation falls well short of the AA1000 SES principles of inclusiveness and responsiveness (Attachment 1). This shortfall has been expressed in a number of ways:</p> <ul style="list-style-type: none"> • The sale of the community park to On The Run a few years ago without consultation; • ABC’s ongoing refusal to widely advertise its complaints number or available assistance for car washes or solar panel cleaning or to improve the accessibility of assistance for residents who work 9-5 ; • ABC’s refusal to release results of tests on residents’ cars or other dust samples when asked;

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	<ul style="list-style-type: none"> • ABC’s refusal of repeated invitations by ABC management and senior staff to visit members of the ABC Community Liaison Group to learn about the lived experience of residents; • ABC’s proposal to vet the appointment of resident members on the ABC CLG (it is doubtful that ABC would suggest this for union reps in a work place context but they tried this on with residents); • ABC’s proposal to close quarterly ABC Community Liaison Group meetings to public viewing; • ABC’s repeated refusal to meet face/face with the 40 households surveyed in the vibration study to brief on the survey results as well as the vibration testing; • Avoidance of public discussion at the public CLG meeting in December 2016 of findings of the FLS stack improvement study even though the information provided out of session to CLG community members was not confidential ; • ABC’s attempt to veto discussion of a specific agenda item led by community representatives at the ABC CLG despite prior approval by the Chair; and • The failure to agree a communication plan as outlined in the current EIP as follows: <ul style="list-style-type: none"> <i>A communication plan will be developed by the CLG... will include details of communication in projects, feedback on outcomes of projects, and education programs to address health concerns and sustainability objectives</i> <p>ABC CE capacity building: To us, these multiple examples suggest the need for organizational change and capacity building <i>within</i> ABC.</p> <p>Recommendation 3: It is recommended that the CE plan include capacity building within ABC in support of CE quality standards.</p> <p>CLG acknowledgement: For all these experiences of dissonance with CE standards listed above, this submission acknowledges that the ABC does support the existence of the CLG which to date includes advertised quarterly meetings at the town hall and ABC funding of the chair. However, despite this investment, it is unfortunate that the draft condition for a community engagement plan does not specify the need for a continuation of ABC’s CLG as part of the condition for the proposed plan.</p> <p>Recommendation 4: It is recommended that the draft licence specifies the ongoing need for an ABC CLG as part of the CE plan.</p> <p>Reform CLG – Chair auspice However, it is also recognised that the CLG itself could be improved in some fundamental ways. One key reform involves the auspicing of the Chair. To date, CLG community members and ABC have jointly agree the selection of the Chair. However, ABC’s direct funding of the Chair creates the potential perception and risk of a conflict of interest for the Chair as an ABC contractor/employee. This is a recognised problem for funders where they are resourcing CE bodies.</p>

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	<p>Recommendation 5: To enhance the independence of the CLG Chair; it is recommended that the community engagement plan require the transfer of ABC’s resourcing of the position to a third party such as Council.</p> <p>Reform CLG accountability and community capacity building: Currently, there are four public quarterly meetings where residents can observe the CLG. There is very little opportunity for residents to ask questions or raise matters not on the agenda. As volunteers, CLG community members have little resources or time to represent and engage with the breadth of the resident population. In addition, the resident population has very little opportunity to ensure CLG community members are contactable or accountable to them.</p> <p>Recommendation 6: To resource the engagement of the broader resident population, it is recommended that ABC fund a part time CE worker position which could be auspiced by a third party (eg Council or the UnitingCare Wesley Port Adelaide). The remit of this worker would be to strengthen CE on ABC issues amongst residents by:</p> <ul style="list-style-type: none"> • Supporting resident participation in the development and assessment of EIP projects eg noise and dust measures; • Educating residents on real--time particulate monitoring and noise monitoring; • Educating residents on use of complaints, CLG and other CE processes and available mitigation assistance; • Surveying residents on their lived experience and building a data base of residents interests and experiences; and • Building resident networks and communications with existing community members of CLG. <p>This recommendation recognises the power and resource imbalance in the CE relationship between ABC and residents.</p> <p>Recommendation 7: To ensure greater CLG accountability to the broader resident population, it is recommended that there be an annual CLG community engagement process whereby:</p> <ul style="list-style-type: none"> • EPA and ABC report to residents on progress to date – not just activities and investments but measured changes in environmental outcomes; • CLG community members reflect back to residents their assessments about progress made and their CLG work; and • Residents have an opportunity to review nominations for CLG resident member vacancies and directly elect CLG resident members. <p>Reform – CLG – openness: Whilst there have been improvements in CLG in the timeliness of information and papers from ABC with the establishment of ‘a two week before meeting’ guideline for papers, ABC is still reluctant to post CLG related documents including terms of reference, agendas, minutes and meeting papers and licence reports and EIP consultancy reports on its website.</p>

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	<p>In our view, EPA behavior in such matters provides a standard for ABC within the CLG. Here, we laude EPA’s initiative with the publishing of ABC licence reports and related licence documents online. But we also note that over the last two years, EPA often struggles to ensure timely and accessible information for CLG quarterly meetings. This is a basic requirement for CE and conveys to us a lack of understanding and respect for the work of CLG community members.</p> <p>Recommendation 8: It is recommended that:</p> <ul style="list-style-type: none"> a ABC post CLG terms of reference, agenda, minutes and papers and licence reports and EIP consultancy reports on the ABC CLG website or provide a link to the EPA website where such documents are listed; and b EPA note the importance of role-modelling good CE behaviour. <p>Reform CLG – membership: The CLG membership has shrunk in terms of organizational representation over time. In addition, resident vacancies have remained unfilled over the last two years pending a review of the CLG terms of reference (ToR). The review was partly designed to deal with an anomaly between types of resident members whereby resident members fall into two groups. The first is comprises the three members of the Birkenhead Residents Group who have an unspecified term and then a second group of residents to be appointed by the Birkenhead Residents Group members for a two year renewable term. Although this review was an opportunity to ensure equal standing amongst resident members of the CLG and to improve accountability of resident members to other residents, it was halted by community members after ABC sought to vet the appointment of resident representatives and close CLG quarterly meetings.to public viewing.</p> <p>Sadly, a consequence of these internal governance challenges within the CLG has meant the important work of preparing input for this new licence to fewer, already stretched CLG volunteers.</p> <p>If EPA (and the SA Government generally) are seriously committed to genuine CE, they need to appreciate the impact of EPA’s own role within the CLG including EPA’s decision to withdraw from full membership of CLG to an ex-officio role. In the context of such CLG governance issues, for instance, I wonder if EPA had participated in these CLG ToR discussions whether ABC would have proposed vetting resident membership and closing quarterly meetings.</p> <p>Recommendation 9: It is recommended that:</p> <ul style="list-style-type: none"> a As per the WA Parliamentary Inquiry into Cockburn Cement (2011), it is recommended that there is public health expertise is available to CLG either a regular member or on a regular basis; b There is continued outreach to the school communities and other community organisations in the area to strengthen the CLG as a CE mechanism; and c EPA provided leadership within the CLG in support of CE standards.

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	<p>4 COMPLAINTS</p> <p>The existing condition for complaints could be improved. In our experience, most people don't complain or know how to complain to ABC or EPA. There is no requirement for a telephone hotline during operating hours. ABC has consistently refused suggestions to better publicize the complaint process – in other states this is required in cement plant licences (EPA, NSW, 2015).</p> <p>Complaints are reported quarterly to CLG, but there is also limited useful analysis of the complaints on a trend or an outcomes basis - year to year or across the licence. In addition, whilst ABC has to keep a register, there is no reporting requirement on complaints to EPA.</p> <p>In contrast, in a Queensland licence, individual noise complaints can trigger noise monitoring at the request of the regulator (EPA, QLD, 2007). The WA Inquiry (2011) into Cockburn Cement also recommended public reporting of confidentialised complaints using individual identifier numbers.</p> <p>Recommendation 10: It is recommended the complaints process is improved by:</p> <ul style="list-style-type: none"> • requiring the better promotion of the ABC and EPA complaint hotlines; • requiring a hotline during all hours of operation; • six monthly reviews of the complaints hotlines with a resident rep; and • online confidentialised reporting on ABC and EPA complaints which describing trends in complaints over time, location, volume, reason and outcome. <p>5 NOISE</p> <p>Residents deserve quiet enjoyment of their homes and the opportunity to live in an area where EPA, as regulator, ensures compliance. However, there is no deadline for compliance and no deadline for the development, ongoing reporting or review of the noise management plan. The proposed condition commits to minimizing noise – it would be nice to think this meant better than compliance – 10 years after the 2007 noise policy!.</p> <p>Reviewing ABC noise surveys over a five year period (Vipac, 2012, 2014, 2014, 2015, 2016, 2017), taking measuring point 2 @ corner Alfred St and Hargrave St, measurements have been over the 50db night time standard in annual reports- 6,5,7,4 and 5 decibels (dB) respectively. At this measuring point, ABC is understood to have contributed an additional 10db when in operation (EPA, 2017.).</p> <p>Other states specify the noise limits in the licence (EPA, QLD, EPA, NSW, 2015).</p> <p>Recommendation 11: It is recommended that the proposed condition should include:</p>

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	<p>a The noise limits as in other cement plant licences (EPA,QLD, 2007, EPA NSW, 2015)</p> <p>b A deadline for the plan, consultation and reporting requirements and evaluation arrangements for the plan; and</p> <p>c The EIP should establish a timetable for achievement of compliance. If compliance is not possible by December 2018, ABC should offer to insulate homes in the non-compliant areas as done at Adelaide Airport.</p> <p>References</p> <p>ABC CLG Terms of Reference</p> <p>AA1000 <i>Stakeholder Engagement Standard</i> (2015). Accountability Standards Board</p> <p>EPA QLD (2007) <i>IPC E 00846008</i></p> <p>EPA NSW (2015) <i>Environmental Protection Licence 1698 Boral Cement Berrima</i></p> <p>EPA <i>Draft Licence No 126 p6 condition 3.4 Community Engagement Plan (U-722)</i></p> <p>EPA <i>Partnership Engagement Framework 2016-2018</i></p> <p>EPA <i>Compliance Plan 2016-2017</i></p> <p>EPA (2017) <i>Noise Monitoring Results</i></p> <p>International Association for Public Participation Australasia (IAP2) (2015) <i>Quality Assurance Standard in Community and Stakeholder Engagement</i></p> <p>Vipac (2012) <i>ABC Annual Environmental Noise Audit</i></p> <p>Vipac (2014) <i>ABC Annual Environmental Noise Assessment</i></p> <p>Vipac (2015) <i>ABC Annual Environmental Noise Survey</i></p> <p>Vipac (2016) <i>ABC Annual Environmental Noise Assessment</i></p> <p>Vipac (2017) <i>ABC Noise Abatement and Modelling Update</i></p> <p>WA MLC (2011) <i>Inquiry into Cockburn Cement Limited</i>, Munster. Standing Committee on Environment and Public Affairs</p> <p>Attachment 1 International Association for Public Participation Australasia (IAP2) (2015) <i>Quality Assurance Standard in Community and Stakeholder Engagement</i> p.9 - based for SA Government CE policy</p>

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	<p>The Code of Ethics is a set of principles which guide us in our practice of enhancing the integrity of the public participation process. As P2 practitioners, we hold ourselves accountable to these principles and strive to hold all participants to the same standards.</p> <ol style="list-style-type: none"> 1 Purpose: we support public participation as a process to make better decisions that incorporate the interests and concerns of all affected stakeholders and meet the needs of the decision-making body. 2 Role of Practitioner: we will enhance the public’s participation in the decision-making process and assist decision-makers in being responsive to the public’s concerns and suggestions. 3 Trust: we will undertake and encourage actions that build trust and credibility for the process and among all the participants. 4 Defining the Public’s Role: we will carefully consider and accurately portray the public’s role in the decision-making process. 5 Openness: we will encourage the disclosure of all information relevant to the public’s understanding and evaluation of a decision. 6 Access to the Process: we will ensure that stakeholders have fair and equal access to the public participation process and the opportunity to influence decisions. 7 Respect for Communities: we will avoid strategies that risk polarising community interest or that appear to ‘divide and conquer’. 8 Advocacy: we will advocate for the public participation process and will not advocate for a particular interest, party or project outcome. 9 Commitments: we will ensure that all commitments made to the public, including those by the decision-maker, are made in good faith. 10 Support of the Practice: we will mentor new practitioners in the field and educate decision makers and the public about the value and use of public participation. <p>AA1000SES (2015) Stakeholder Engagement Standard</p> <p>The AA1000 Accountability Principles</p> <p>Inclusivity – For an organisation that accepts its accountability to those on whom it has an impact and who have an impact on it, inclusivity is the participation of stakeholders in developing and achieving an accountable and strategic response to sustainability.</p> <p>Materiality – Materiality is determining the relevance and significance of an issue to an organisation and its stakeholders. A material issue is an issue that will influence the decisions, actions and performance of an organisation or its stakeholders.</p> <p>Responsiveness – Responsiveness is an organisation’s response to stakeholder issues that affect its sustainability performance and is realized through decisions, actions and performance, as well as communication with stakeholders.</p>

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	<p>Accountability – Acknowledging, assuming responsibility for and being transparent about the impacts of your policies, decisions, actions, products and associated performance. It obliges an organisation to involve stakeholders in identifying, understanding and responding to sustainability issues and concerns, and to report, explain and be answerable to stakeholders for decisions, actions and performance. It includes the way in which an organisation governs, sets strategy and manages performance.</p>
4	<p>Thanks for the opportunity to comment.</p> <p>My principal concerns are that</p> <ul style="list-style-type: none"> • There’s no certainty about the outcomes re environmental improvements that will be achieved, or the timeframes for this • While there are new plans proposed including Dust Management and Noise Management, it is very difficult for the community to know whether the company is doing all that it could, through such plans, to minimise the impacts of dust, noise etc. There was great disappointment that while ABC contracted for a major review of its operations (FLS study) that ultimately that study was not shared with the EPA or the community for reasons of commercial confidentiality. In the lead up to the study we weren’t told that the report would be withheld and it’s hard to trust the company when they won’t provide reviews generated by external expertise. • There’s an ongoing requirement for community members to persist in holding the company to account. What a wonderful day it would be when their good environmental performance made this unnecessary! • When the plant is unstable, this fact can be apparent to community members from the emissions generated, however it can seem from the company’s reporting eg through averaging, that these incidents are being hidden and this generates suspicion. I’m supportive of continuous monitoring of stack emissions and continuous public reporting, with explanations being given for incidents that exceed a minimum time period eg five minutes. • The plant needs to comply with the EPA’s noise policy or as suggested by Julie Conway et al ABC “should offer to insulate homes in the non-compliant areas as done at Adelaide Airport”. Obviously ABC should fund such insulation. <p>Since benchmarks and timeframes for improvements aren’t set in the proposed licence, it would be inappropriate for the company to be granted a licence for an extended period. If the new licence was three years max, then the company would hopefully have an incentive to develop and implement the proposed plans (dust, noise etc) and to work towards providing some guarantees re performance and outcomes, as a basis then (in 2020) for a longer licence term.</p>
5	<p>Under the heading ‘compliance with the licence’ on page 4 of the draft, the maximum penalties are set at \$120,000 and \$60,000. I believe should be amended to allow for increases in penalties if the Act is changed during the term of the licence. In general, I believe the penalties are on the low side when dealing with such a substantial operation.</p>

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6	<p>Please don't grant the ABCa new license. I have lived at the southern end of the cement works in XXXX street for over 20 years. I am a very tolerant person generally, but I have to say enough is enough. The amount of dust falling on my cars and house is getting worse not better. ABC claim to have fixed the problem, but when you stand in your back yard at 1 am and watch the amount of pollution coming out of the stacks, you have to ask yourself how can they get away with this.</p>
7	<p>This submission responds to draft conditions in the proposed ABC licence relating to the need to ensure environment improvement and noise. I write as a resident of the local community and as someone who is also interested in achieving better results for our natural environment. I appreciate the fact that the Environmental Protection Authority (EPA) is the environmental authority that has the capability to enforce whether ABC is compliant; however I have grave concerns that there is no enforcing body that oversees how the EPA is conducting themselves and whether their actions are in accordance with what they should be doing.</p> <p>1 The Draft ABC licence requires the production of six plans in a relatively short space of time</p> <p>I believe it was the advice of the EPA that these cannot be released for public consultation as they are bound by s121 of the EPA Act (under confidentiality). I would say as a member of the community that it would make total sense to engage with the community directly affected by ABC to have input into a community engagement plan. Or at least, have a caveat in the plan that states the community will be consulted with, as part of the process.</p> <p>2 ABC have not been compliant with noise policy</p> <p>It has been extremely difficult to see through reports offered by the EPA, where results of continual improvement in noise levels have been achieved by ABC. It is imperative that this be made a condition of the new license. It is my understanding that other states have licences that include specific noise criteria eg Boral Cement (Berrima).</p> <p>As a resident of Birkenhead, I can say that we are affected by noise. Not in the mornings so much when the traffic from Victoria Road tends to drown out everything else around it, but certainly on a still night, the noise levels from Little Craigie Street appear high. This is mainly evident from our backyard, where ABC is clearly evident. I am unsure of whether the noises associated with ABC exceed 'acceptable noise levels' but I would volunteer to have a noise reader in our backyard, to collect data particularly at night.</p> <p>As a resident, this may not be considered to be impartial or independent. I suggest an independent review of ABC experts, clearly defining the standards expected as a number of options exists eg indicative average noise method versus background noise method.</p> <p>a Dust and air quality</p> <p>I believe the Air quality policy sets no standards for ground level concentrations of Total Suspended Solids and with the current technology, Adelaide Brighton Cement cannot measure PM₁₀ or PM_{2.5} emission levels from the stacks. At a CLG meeting I attended in August 2017, with ABC, it was confirmed that under normal operating conditions, the plant's capacity is limited to measuring Total</p>

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	<p>Suspended Particulates (TSP) from both stacks. It is my interpretation that the current licence averages out emissions over a 1 hour period, and that these uncontrolled emissions are the reason dust is generated, which affects solar panels and causes the damage to cars and other outside goods. It is also my understanding that the new Air Quality policy makes no clear provision for averaging of stack emissions.</p> <p>As a resident of Birkenhead, I believe that dust is the biggest issue in our suburb. We have dust impact on our window panels at the front of the house, our decking on our back verandah and daily dust particles on our vehicles. We haven't bothered with taking our vehicles to ABC to obtain vouchers for washing, as we have been told by other residents this is not a pleasant experience and we would probably have to visit several times a month. I do wonder what the impact is on the paint work of vehicles however I am not sure how this can be monitored and which suburbs would get priority. I would not expect ABC to fit the bill for cleaning property however I do believe better monitoring needs to be achieved.</p> <p>The dust issue is also relevant to people's health; I believe in the same CLG meeting I attended in August 2017 with ABC, a community representative called for an independent survey be conducted on people's health. I personally don't have any health issues, but I do think about the long term impact of living in Birkenhead, although I am well aware of the local schools in our area, and that there is no current evidence to support that levels are at a dangerous level.</p> <p>If modelling is to be used to determine emission levels, then the model needs to be validated against physical measurements in a public and transparent manner.</p> <p>b Community engagement</p> <p>I understand that community engagement is a condition of the renewed licence however there are no specifications on the requirement. I believe that the community meetings which are attended by CLG, ABC and some members of EPA, can be better run. Community members attend these meetings in order to have any of their questions raised, however are prevented from doing so until the end of the meeting. They generally have to sit through presentations and sometimes scientific jargon presented by ABC, which to the average community member, may not make sense. Much of time at the beginning of each meeting, is wasted by introducing members of the panel, which is irrelevant to the community members sitting in the audience. I believe this can be better run with question time a few times through the course of the meeting.</p> <p>A condition of the licence within community engagement is to strengthen the ABC complaints process with a requirement to publicly advertise the complaints hotline. It would seem to be a tick box exercise to me at the moment in terms of ABC saying that they do comply with recording complaints received from the public. But what happens to this data, and what actions are taken to report on how complaints are addressed (if any).</p>

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	<p>c Compliance</p> <p>Discussion around ABC being in breach of their previous licence has been raised at several of the CLG meetings with ABC and EPA present. This has largely been around compliance regarding noise and dust levels. I think it would be extremely beneficial if the licence was termed for 3-5 years and not 10 years, to ensure the licence is reviewed after every few years and ensure compliance occurs. I believe breaches include a \$60,000 penalty, but what is this based on. When ABC is in breach of not complying with the recommended noise levels? If ABC does not comply, where is it clearly defined within the renewed licence, when and how this will occur? Is a warning given and then a fine issued. What is the process and will this be made public if ABC does become in breach of any of the defined levels ie noise, dust etc. How was \$60K determined and how many times can this be issued? The new licence does not specify any targets other than the air quality standard, so it is hard to assess what and if any improvements might be achieved. In the existing Environmental Improvement Program (EIP), the EPA has refused to set targets for emission reductions. I personally have not confidence that the EPA would enforce non-compliance where necessary, and given that there is no regulatory authority that oversees the EPA, how is this even monitored.</p> <p>I hope that my submission is taken into consideration and I look forward to seeing how the licence renewal is finalised.</p>
8	<p>1 FOCUS ON THE NEED FOR A LICENCE</p> <p>In the opening statement under the heading.....'purpose of a licence' the EPA makes several bold statements....</p> <p>The licence is an enforceable agreement.</p> <p>Recommendation: That fines be included as a penalty for non-compliance by a specific date.</p> <p>The licence sets out the minimum acceptable environmental standards to which the licensee MUST perform.</p> <p>Recommendation: There should be reference make to the possible revocation of a licence should these minimum standards not be met by a prescribed date.</p> <p>Where the EPA Act requires that all practical measures are taken to protect, restore and enhance the quality of the environment including requiring persons engaged in polluting activities to progressively make environmental improvements.</p> <p>Implicit in these opening statements are the underlying issues surrounding a licence and how the EPA can ensure both ABC comply and what effect their operations are having on the surrounding community.</p> <p>Recommendation: In order to determine whether the quality of the environment has been restored, a section be included to commit the ABC to conducting regular community health surveys with those reports being presented to the CLG.</p>

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	<p>The EPA needs to understand that the ABC has grown to a level where it severely impacts on the local community. The area was initially developed for residential purposes with small pockets on non invasive industrial areas. Now that this commercial complex has physically grown to a size with a capability of production volumes which produces detrimental side effects on the environment and the quality of life of the local residents, stricter controls need to be included to limit these effects with severe penalties for non-compliance.</p> <p>2 THE PREMISES</p> <p>The premises described in the draft document disseminated for public review included many cancelled references to certificates of title which are meaningless in describing the current premises being the subject of the licence.</p> <p>I also noted that one title in particular CT6085/677 referred to land wholly containing DPTI controlled roads. This land should be vested in the crown for road purposes as it could potentially lead to insurance issues against ABC in the event of a motor vehicle accident occurring within the bounds of this title.</p> <p>Recommendation: The premises be described accurately by reference to only current certificates of title (CT) and that CT 6085/677 vests with the Commissioner of Highways.</p> <p>Draft Reference 1.7 Noise: There doesn't appear to be any date by which a noise abatement plan is to be developed nor are there any maximum standards mentioned.</p> <p>Recommendation: EPA to include a date by which the noise minimisation plan is to be submitted to the EPA and which is to include standards for noise levels.</p> <p>Draft Reference 3.4 Community Engagement Plan: This undertaking for the ABC to commit to developing a Community Engagement Plan (CEP) is very loose. I suggest the licence be strengthened to make specific reference to developing the Adelaide Brighton Cement Liaison Group (ABCCLG) as an essential part of the CEP.</p> <p>Under the current PDI 2016 Act, there is reference to a Community Engagement Charter (CEC). I suggest this licence make reference to that CEC with a commitment to the embodied principles.</p> <p>To enable the community to be satisfied with the recommendations of the EPA, there must be open, transparent, unbiased, regular dissemination of EPA reports and full disclosure of any surveys being conducted.</p> <p>Having only attended a couple of these meetings in 2016–17, I understand now that there is potential for a conflict of interest for the chair being funded by the ABC. I got the distinct impression that because the ABC were committing to the CLG on a voluntary basis only, apart from contributing financially to the position of the chair, that comments from the community representatives were guarded – in fear of upsetting the ABC management which lead to a superficial level of community engagement.</p>

Submission No	Details
	<p>Recommendation: That the ABC licence has included a section recognising the need for establishing an ABCCLG as in their current licence and details issues such as...</p> <ul style="list-style-type: none"> • The terms of reference for the CLG • How the chair is to be elected and funded • Defining the stakeholder groups to be represented • The number of each stakeholder group and the tenure of their position and they are to be elected. • How regularly the CLG should meet • All reports issued should be circulated at least two weeks prior to meetings where practicable <p>Recommendation: That the ABC provide funding to an independent body ie Council who in turn provide an independent chairperson for the CLG meetings.</p> <p>Recommendation: That all plans developed as directed by this licence by the ABC be revisited quarterly by the CLG with any resolution of the CLG adopted as a variation to the plan.</p> <p>3 HOURS OF OPERATION</p> <p>I don't know of too many industries in close proximity to residential areas that are not confined to hours of operation especially under certain weather conditions.</p> <p>Recommendation: I would like to see a clause included in the licence restricting the hours of operation to reasonable daylight hours say 6.00am to 8.00pm but allowing time to beyond that to firing up and cooling down. Operation in these circumstances would mean actual production hours of operation.</p> <p>Recommendation: Within this section there should also be included some restriction on the ability to unload to stockpiles in the event of winds exceeding 10kts in an effect to reduce fugitive dust events.</p> <p>4 AIR QUALITY POLICY</p> <p>I question whether this licence in the draft form overrides the EPA's very own Air Quality Policy in that no mention is made of averaging of emission results. This licence is the only one to include mention of averaging results which disguises results from the surrounding community.</p> <p>Recommendation: That all recorded emissions exceeding the maximum levels set in the licence be made available in report form at the following ABCCLG meeting.</p> <p>3.5 Draft reference: Complaints</p>

Submission No	Details
	<p>The licence should make reference to this register being established as an electronic register to be used as a data base for research and evaluation of the criteria surrounding complaints,</p>
9	<p>I have concerns about the current impact to the environment from the ‘fallout’ from ABC operations on the surrounding residential areas.</p> <p>My previous residence was in Close Street at Birkenhead. There was a high level of dust evident each morning on vehicles parked in the area to the extent that window wipers could not be operated until the cement dust was removed from the surface of the glass. Although I had been informed that there was never any dust emission, and that the visible plumes from the stacks were simply steam, the car surfaces and plants were coated each day with a fresh layer of dust.</p> <p>I would therefore suggest that the levels set for clean air and dust reduction imposed on the plant was either inadequate to protect the surrounding areas from the fallout from the plant or these levels were ignored. On two occasions the method used to clean the air prior to release failed and the area was coated in a thick layer of cement dust (causing permanent damage to cars and plants). Although a daily ritual that had to be undertaken prior to driving each day it is not something I have had to complete once since moving to a new area.</p> <p>Although these were the effects on the inanimate objects in the area there is no case for saying such emissions are safe to human health.</p> <p>I am not suggesting that industry should not operate in the area, however I do suggest that it should be a good corporate citizen and remove, so far as reasonably practical, the impact of its operation on the health and wellbeing of the community and environment.</p> <p>For your consideration.</p>
10	<p>Please accept this email as a written submission in regards to the proposed EPA licence conditions for Adelaide Brighton Cement’s renewed licence and take into consideration the following concerns when finalising the new license.</p> <p>It is of concern to us that the monitoring of compliance with the licensing conditions will be undertaken by Adelaide Brighton Cement themselves, ie self monitoring. The best license with the best conditions fails at the first hurdle if it is relying on data produced by the client, with no checks on the equipment or processes used to obtain the data. We believe that to ensure Adelaide Brighton Cement’s data is credible, there should be an independent third party company should be checking their monitoring equipment regularly.</p> <p>Also, over the 17 years we have lived in the area, we have attended a number of Community Liaison meetings with Adelaide Brighton Cement and find it frustrating to hear how there was little to no action taken whenever there was a failure to comply with licensing conditions by Adelaide Brighton Cement. This did not encourage Adelaide Brighton Cement to ensure they complied with their license. We feel that the new license conditions should have mechanisms in place to take suitable action against Adelaide</p>

Submission No	Details
	<p>Brighton Cement should they breach their license conditions and that these action be implemented with minimal delay upon the breach and be significant enough to discourage further breaches of license conditions by Adelaide Brighton Cement.</p> <p>We are concerned about the levels of dioxin and furan formation and emission from the stacks, given the increase in the proportion of plastic waste allowed to be used as a fuel source for the furnace. It is understood that the emission of dioxins and furans depends not only on the combustion conditions but also the efficiency of air pollution control systems as production of dioxins occurs in the temperature window of 200 to about 450C. Hence rapid cooling of combustion gasses is required to minimise their formation. So although the plastic waste is being burned in the furnace at a temperature of around 1200C, the dioxins and furans could form post combustion should their not be suitable air pollution controls in place. Given the toxicity of these compounds, we feel it important to monitor them in stack emissions and ensure the monitoring equipment and processes used are third party accredited.</p> <p>(ref: https://www.environment.gov.au/system/files/resources/fec3b9ff-4a26-4b17-9bcb-1ba3c066ca8b/files/incineration-review.pdf)</p> <p>We hope that you will take these concerns into consideration as you finalise the license conditions for Adelaide Brighton Cement.</p> <p>Thank you for your time.</p>
11	<p>Port Adelaide Resident's Environment Protection Group</p>
12	<p>In reviewing the draft licence and having attended the EPA consultation on 20.9.17, I am concerned that the licence does not clarify what improvements in air quality will be achieved under this new licence, compared to the existing air quality policy.</p> <p>There is no requirement to set targets under the Environmental Improvement Plan. How will progress be guaranteed?</p> <p>There is no requirement to be compliant on the noise policy.</p> <p>Plans are welcome but what outcomes will be achieved?</p> <p>I find the thought that the ABC requests an increase in the allowable plastics content of 'wood derived fuel' or 'refuse derived fuel' from 10% to 20%, and claim that it is a good thing for the environment, laughable. It may save space in landfill, but will make our already polluted air worse. Please don't allow this increase.</p> <p>Most residents don't complain, they don't know how or where, the licence does not require the hotline to be advertised.</p> <p>There is no requirement to have an ABC Community Liaison Group and there needs to be more capacity for a CLG to engage residents.</p>

13	<p>Proximity of ABC to residential:</p> <ul style="list-style-type: none">• existing houses and apartments• new developments• Dust management is crucial. We have had spills in the past that have resulted in cement like dust stick up to cars (let alone what that did to our lungs)! Emission management is (should be) mandatory.• Many children in the area complain of breathing difficulties.• a young person in my house has severe asthma attacks. <p>Air quality is important to a healthy society. Please play your part in environmental awareness both air and water. Both are precious resources.</p> <p>Community engagement needs to be open and honest. Genuine engagement will be sought. We are a vocal community who love the Peninsular and the environment. We want to live in a healthy environment.</p> <p>Do your bit!!</p>
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