

Tracked Changes Version of Appendix 5:

Appendix 5: Recommended conditions of consent for WGN190198

Recommended Conditions of Resource Consent WGN190198 [36059]

Interpretation

Annual period: for the purpose of this consent, annual period refers to the period 1 May to 30 April inclusive.

Manager means the Manager, Environmental Regulation, Greater Wellington Regional Council.

Wellington Regional Council Officer means any Enforcement, Compliance or Duty Officer, Environmental Regulation, Greater Wellington Regional Council.

Notification or notice means email of notification to notifications@gw.govt.nz. Please include the consent reference number (WGN190198) and the name and phone number of a contact person responsible for the proposed works.

VOCs mean volatile organic compounds.

General conditions

1. The location, design, implementation and operation of the plant and associated discharge shall be in general accordance with the consent application and its associated plans and documents lodged on 4 February 2019, and further information including:
 - Air Dispersion Modelling Assessment, NCI Packaging. Jacobs February 2019. Report number IZ119600-RPT-1 and NCI Packaging (NZ) Limited, Upper Hutt Air Discharge Monitoring, November/December 2018, Issue II. Source Testing New Zealand Limited. 31 January 2019;
 - Further Information Response, Air Discharge Permit, dated 28 June 2019;
 - Review of Odour Control Techniques, NCI, 18 June 2020;
 - NCI Packaging, Upper Hutt, Review of odour issues. T&T, 17 July 2020; and
 - NCI Packaging, Upper Hutt – Summary of further odour investigations and recommendations, T&T dated 27 January 2021; and NCI Packaging, Upper Hutt – Responses to questions raised in PDP Technical review, T&T, dated 28 April 2021.

Where there may be contradictions or inconsistencies between the application and further information provided by the Consent Holder, the most recent information applies. In addition, where there may be inconsistencies between information provided by the Consent Holder and conditions of this consent, the conditions apply.

Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

2. The Consent Holder shall ensure that a copy of this consent and all documents and plans referred to in this consent, are kept on site at all times and presented to any Wellington Regional Council Officer on request.

3. There shall be no discharges to air that are noxious, dangerous, offensive or objectionable at or beyond the legal boundary of the site from which the Consent Holder operates, as determined by a Wellington Regional Council Officer.

Note: For the purpose of this consent, the boundary of the property from which the Consent Holder operates is the outer perimeter of the land bearing the legal descriptions of Lot 1 DP 30717, Lot 1 DP 28552 and Lots 11-14 & 16 DP 30232.

Adaptive Management Odour Plan

4. The Consent Holder shall prepare, submit and implement an Adaptive Management Odour Plan (AMOP). The AMOP shall be submitted to the Manager for approval within three months of the commencement of this resource consent. The purpose of the AMOP is to ensure the consent holder has management procedures and practices available to avoid and minimise the discharge of contaminants and odour beyond the site boundary and to provide detail as to how the conditions of consent will be complied with. This management plan shall provide:
 - a. A description of the content and purpose of the AMOP;
 - b. A description of all on-site activities and sources of odour onsite;
 - c. Contact details of the person on site nominated to supervise the implementation of and adherence to the AMOP during plant operating hours;
 - d. Systems for training employees to make them aware of the requirements of the AMOP;
 - e. The proactive and reactive management practices and procedures that will be used to prevent and/or respond to any breaches of Condition 3 and notifications of odour occurring beyond the site boundary;
 - f. A description of the design and maintenance parameters of the biofilter required in accordance with Condition 14;
 - g. A description of the methods to be used in the staged approach to odour mitigation;
 - h. A description of the criteria that will be used to determine when additional mitigation shall be implemented on the site;
 - i. A description of meteorological monitoring requirements and methodology, including the location and calibration of monitoring equipment, in accordance with Condition 25;
 - j. Procedures for investigating and responding to any odour complaints received including:
 - i. Timeframes for initiating investigations and responding to complainants;
 - ii. Procedures for the review of meteorological and production conditions during complaints to assess whether there is any correlation between these conditions and the likelihood of NCI being the source of the Complaint; and
 - iii. On-site responsibilities during odour complaints;
 - k. Procedures for incident notification to GWRC in accordance with Condition 32;
 - l. Procedures for undertaking on-site and off-site odour assessments, including those required in accordance with Condition 17 to 18;
 - m. Procedures for determining if emissions monitoring is required and procedures for undertaking emissions monitoring in accordance with Condition 23 and 24;
 - n. Procedures for communicating with residents within 160 m of the Internal Lacquer/Assembly Stack in accordance with Condition 27; and
 - o. Procedures for amending the AMOP following onsite identification of odour and to ensure it is fit for purpose, including submission of an amended AMOP to the Manager.
5. The Consent Holder shall undertake all onsite activities in accordance with the approved AMOP, and all other conditions of this consent. In the event of any inconsistencies between the conditions of consent and the provisions of the AMOP, the conditions of the consent shall apply.

Technical reviews of the AMOP

6. The Consent Holder shall review the AMOP. The review shall:
 - a) Be undertaken:
 - i. In the event of the determination of an 'offensive or objectionable' odour;
 - ii. Following the review of the effectiveness of the biofilter in accordance with Condition 20 and 21, and the review of the other mitigation, if required, in accordance with Condition 22;
 - iii. At least once in a 12 month period; or
 - iv. Within another timeframe to the satisfaction of the manager.
 - b) Include:
 - i. Details regarding the complaints received and any incidents on site, including the frequency of these;
 - ii. A summary of the results from the on-site and off-site odour assessments, including those required in accordance with Condition 17 and 18;
 - iii. An evaluation of the effectiveness of the AMOP in preventing, reducing and/or responding to complaints and incidents; and
 - iv. An evaluation of and any recommendations to:
 - a. The plant operating procedures and practices;
 - b. The odour mitigation tools used on site and recommendations on whether further mitigation is required;
 - c. Changes to emission reduction/treatment equipment, including proposals for further equipment; and
 - d. Timeframes for the selection, approval, procurement, installation and commissioning of the specified equipment.

Where new, or changes to existing emission reduction or treatment equipment are proposed following the review of the AMOP, the Consent Holder shall have the proposed changes reviewed by a suitably experienced environmental practitioner, with specific experience and expertise in industrial odour discharges. This technical review shall be provided to the Manager within one month of being completed.

Amendments to the Approved AMOP

7. Any amendments to the AMOP shall be submitted to the Manager for approval. Once approved, the amended AMOP shall become the operative AMOP.

Note: The approval of the AMOP by the Manager in no way implies that the measures as specified in the AMOP ensures that the Consent Holder will meet Condition 3. The approval is a technical approval only and in no way absolves the Consent Holder from their responsibilities to manage the discharges to meet Condition 3 at all times, or does the approval authorise any breach(es) of Condition 3 of this consent.

Operations and Maintenance Manual

8. The Consent Holder shall prepare and submit an Operation and Maintenance Manual (OMM) for the site. The OMM shall be submitted to the Manager within three months of the commencement of this consent for approval. The OMM shall include:
 - a) A description of the contents and purpose of the OMM;
 - b) A summary of the plant purpose, location, layout, and manufacturing equipment with specific reference to contaminant discharge, extraction and treatment equipment, discharge stacks and processes;
 - c) Responsibilities and contact details of key personnel;
 - d) Systems for training employees to make them aware of the requirements of the OMM;
 - e) Operation, inspection and maintenance of the manufacturing equipment, including the extraction and treatment equipment and gas-fired space heaters;

- f) Procedures adopted to ensure that the extraction equipment is fully functional before manufacturing commences;
 - g) Procedures adopted to ensure that the plant complies with the conditions of this consent at all times;
 - h) Contingency plans in the case of accidents and emergencies, such as spills, fires, and incidents where the discharge of excessive contaminants to air was unavoidable; and
 - i) Any other issues considered important, including:
 - Details of the general operation and maintenance of all emissions control equipment (including the associated ducting for this equipment);
 - Staff training on the process requirements, use of emissions control equipment, and emergency response; and
 - Details of how the building envelope is maintained to minimise the potential for fugitive emissions.
9. The Consent Holder shall undertake all onsite activities in accordance with the approved OMM, and all other conditions of this consent. In the event of any inconsistencies between the conditions of consent and the provisions of the OMM, the conditions of the consent shall apply.
10. The consent holder shall review and update the OMM:
- a. Following the review of the effectiveness of the biofilter in accordance with Condition 20 and 21 and the review of the other mitigation, if required, in accordance with Condition 22; and
 - b. As necessary based on day-to-day experience.
- Any amendments to the OMM shall be submitted to the Manager for approval. Once approved, the amended OMM shall become the operative OMM.

Emission Control Equipment

11. The Consent Holder shall ensure that no part of the aluminium aerosol can and steel can manufacturing process is operated without the associated extraction being fully operational and functioning efficiently.
12. The Consent Holder shall ensure that the ventilation system draws adequate negative pressure to ensure the effective capture of contaminants from the aluminium aerosol can and steel can manufacturing process and all other areas from which air is extracted to minimise fugitive emissions.
13. The point of discharge from the Line 2 Main Stack and the Internal Lacquer/Assembly Stack shall terminate at a point no less than 25 metres above ground level and have an exit velocity of at least 14 m/s. The discharge shall be directly vertically into air and not be impeded by any obstruction above the stack.
14. The Consent Holder shall install a Biofilter capable of treating the basecoat application process and curing oven emissions of the Aluminium Aerosol Can Line within four to six months of granting this consent. The Biofilter shall:
 - a. Have a minimum empty bed residence time of 90 seconds;
 - b. Have a maximum inlet temperature of 40 degrees Celsius; and
 - c. Be designed, built, operated and maintained to effectively treat the odour so that there is no VOC odour 10 metres downwind from the edge of the biofilter.

The design, operation and maintenance parameters shall be included in the AMOP.

15. The Consent holder shall measure and record the following biofilter parameters:

- a. The air pressure of the biofilter inlet duct compared to atmospheric pressure by pressure gauge or U-tube manometer and the pH and moisture content of the biofilter media via a handheld soil tester on a monthly basis;
- b. Odour characteristic of the air discharged from the biofilter on the downwind edge of the biofilter on a weekly basis;
- c. The humidity and temperature of the air entering the biofilter on a continuous basis; and
- d. Observations of the air distribution through the biofilter media on a yearly basis to assess whether it is evenly distributed including the methodology used.

The Consent Holder shall maintain a record of all measurements taken in accordance with Condition 15. This record shall be provided to a Wellington Regional Council Officer on request.

16. The consent holder shall ensure that the external factory doors are closed during any activities that give rise to appreciable odour not captured by the extraction system.

Note. Odour generating activities including those not captured by the extraction system are defined in the AMOP.

Field Odour Observations

17. The Consent Holder shall undertake field odour inspections at least once a week along the northern boundary of the site, adjacent to the residential area of Mountbatten Grove. The field observations shall be:
 - a. Undertaken by a person not routinely involved in solvent based coating operations;
 - b. Conducted in general accordance with the methodology detailed by the Good Practice Guide for Assessing and Managing Odour (Ministry for the Environment, 2016) and the AMOP;
 - c. Recorded on a field sheet; and
 - d. Undertaken for the period required to assess the effectiveness of the biofilter and any other mitigation, in accordance with Condition 20, 21 and 22.

The Consent Holder shall maintain a record of the field sheets and provide these to the Manager on request. The Consent Holder shall provide a summary of the field odour inspections in the annual report, required in accordance with Condition 33 of this resource consent.

Note. Field odour inspections should only be undertaken on days when the plant is operating.

18. After a period of six months, but less than 9 months, of the installation of the Biofilter in accordance with Condition 14, the Consent Holder shall commission a programme of independent field odour observations to be undertaken. The observations shall be undertaken:
 - a. In general accordance with the methodology used in the August to September 2020 survey described in the report titled, NCI Packaging, Upper Hutt – Summary of further odour investigations and recommendations, dated 27 January 2021;
 - b. On at least 17 days over a 4-week period;
 - c. At a minimum of seven locations around the NCI site locality when the plant is operating at normal production rates;
 - d. By an independent person who is not regularly exposed to solvent based coating operations who has been trained in the assessment of ambient odours by a suitably qualified person; and
 - e. In general accordance with the methodology outlined in the Good Practice Guide for Assessing and Managing Odour (Ministry for the Environment, 2016) and the AMOP.

Advice Note. The independent person undertaking the odour observations should not be an employee of NCI Packaging (New Zealand) Limited.

19. The results of the field odour observation programme required by Condition 18 shall be reported to the Manager, within 4 weeks of its completion. The report shall include:

- a. The date, time, duration, meteorological conditions and location of each odour observation;
- b. For each odour observation:
 - i. Whether it constituted an “odour hour”;
 - ii. The average and maximum hedonic tone of any odours identified; and
 - iii. Descriptor(s) of any odours identified.
- c. Where possible, identification of the actual or likely source (or sources), of any odours identified;
- d. Whether any events occurred that could be correlated with complaints made either to the Consent Holder or to the Wellington Regional Council.

Note. Odour hour is defined as six or more 10-second periods of recognisable odour as determined within the 10-minute observation period.

Note. Hedonic tone for the purpose of this resource consent is defined as the degree to which an odour is perceived as pleasant or unpleasant. This can be scored on a scale ranging from -4 (very unpleasant) to +4 (very pleasant).

Assessing the Odour Mitigation Performance of the Biofilter

20. After a period of six months, but less than nine months of the installation and operation of the biofilter, the Consent Holder shall commission a review of the odour control performance of the biofilter and provide this report to the Manager. The purpose of the review is to demonstrate whether the biofilter is effective at removing odour so that there is no VOC odour 10 metres downwind from the edge of the biofilter . The review shall include:
 - a. Evaluation of the biofilter operational parameters monitored in accordance with Condition 15;
 - b. Characterisation of the normal operating range for pressure drop and bed pH and trigger values to be incorporated into the AMOP to identify the optimal performance;
 - c. Consideration of the observations of residual odour above the biofilter as required by Condition 15, field odour observations undertaken in accordance with Condition 17, and the independent odour assessments undertaken in accordance with Condition 18;
 - d. Any recommended improvements to the biofilter design and/or operation to optimise odour removal in the biofilter; and
 - e. The results of this review shall be provided to the Manager, within four weeks of its completion.

21. Within ten months of the installation of the biofilter, the Consent Holder shall assess whether the current odour control is adequate to ensure compliance with Condition 3 and provide this report to the Manager. The assessment shall consider the information provided in accordance with Condition 15 and 17 to 20 of this resource consent and any other relevant information related to odour management. An independent suitably qualified environmental practitioner with specific experience and expertise in industrial odour discharges shall undertake this assessment. If this assessment determines that further odour management is required, the Consent Holder shall implement at least one of the following additional odour control/mitigation measures:
 - a. Modify the extraction system and biofilter to treat additional odour sources from the coating processes; or
 - b. Increase the discharge height of the Aluminium Aerosol main stack and/or the Internal Lacquer/Assembly stack to at least 27 m above ground level; or
 - c. Implement an alternative method that would be at least as effective at mitigating odour effects as (a) or (b). Any alternative method shall be to the satisfaction of the Manager.

The Consent Holder shall notify the Council in writing of the proposed timing for implementation of an additional odour mitigation measure(s), which shall be as soon as practicable, but no more than three months from the time of the determination of the need for further odour mitigation is identified. This shall be undertaken to the satisfaction of the Manager.

Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

22. Within eight months of the installation of any additional mitigation required in accordance with Condition 21, the Consent Holder shall undertake an assessment to determine whether the current odour control is adequate to ensure compliance with Condition 3 and provide this report to the Manager. The assessment shall consider the information provided in accordance with Condition 17 of this resource consent and any other relevant information related to odour management. An independent suitably qualified environmental practitioner with specific experience and expertise in industrial odour discharges shall undertake this assessment.

Emission Monitoring

23. If requested by the Manager, the Consent Holder shall conduct an emissions testing programme for odour or Volatile Organic Compounds likely to be discharged from the plant, within two months of the written request. The report shall include the results of the emission test, including all relevant plant operating parameters and conditions, and all calculations and assumptions. The report shall contain data analysis and interpretation by a suitably qualified and experienced person and shall be to the satisfaction of the Manager.

Note: The Manager, will consult with the Consent Holder prior to such a request for any additional emissions testing programme(s).

24. All sampling techniques employed in respect of the conditions of this consent shall be to stack testing industry standards such as USEPA testing methods. All analyses shall be performed by an International Accreditation New Zealand (IANZ) registered laboratory or otherwise as specifically approved by the Manager.

On-site meteorological station

25. The Consent Holder shall operate and maintain at least one meteorological station on the site. This shall be:
 - a. Compliant with Australian/New Zealand Standard AS/NZS 3580.1.1:2016 Methods for sampling and analysis of ambient air Part 1.1: Guide to siting air monitoring equipment;
 - b. Installed, operated, calibrated and maintained in accordance with the manufacturer's instructions.
 - c. Situated in a location that is representative of site and sensitive receptor (residential) conditions
 - d. Capable of recording the wind speed and direction in an appropriate format.

The meteorological data shall be logged and available in real-time via a website or other user accessible interface. The Wellington Regional Council shall be given access to the real-time data upon request.

26. The Consent Holder shall maintain records of the installation, operation, calibration and maintenance of the meteorological station and these records shall be provided to GWRC upon request.

Communication Plan

27. The consent holder shall maintain a communications plan, which sets out how it will liaise with the Council and residents within 160 m of the Internal Lacquer/Assembly Stack. This plan shall:

- a. Detail how the Consent Holder will engage with the Council and residents within 160 m of the Internal Lacquer/Assembly Stack on an on-going basis about the effectiveness of the AMOP. ;
 - b. Include a description of the methods that will be used to provide updates to the Council and residents within 160 m of the Internal Lacquer/Assembly Stack in accordance with Condition 28
 - c. Provide a dedicated telephone number(s) (hotline) for residents within 160 m of the Internal Lacquer/Assembly Stack to contact the consent holder during day shift and afternoon shift hours.
28. The Consent Holder shall provide an executive summary of the Annual Report required by condition 33 to residential properties within 160 metres of the Internal Lacquer/Assembly stack by 31 May of each annual period. The purpose of the executive summary is to summarise the results of any monitoring undertaken and provide an update to the relevant neighbours about matters associated with the on-site operations. The executive summary shall include:
- a. An overview of complaints received;
 - b. An overview of odour investigations and monitoring undertaken and actions taken to address any issues that may have arisen;
 - c. Details regarding any other odour mitigation controls installed on site and reasons for their installation; and
 - d. A contact number or email address of the person responsible for the executive summary.

Note: In the event that owners/occupiers of residential properties no longer want to receive an executive summary of the annual report, then such failure to provide this will not be deemed a breach of these conditions provided the Consent Holder can demonstrate they do not wish to receive these. Should the local community request that they wish for the executive summary to be provided to them, after a period of inactivity, then the conditions above shall continue to apply.

Note. The executive summary should be written in plain English and be understandable to people without expertise in air quality assessments of solvent-based coating operations.

Complaints

28. The Consent Holder shall respond to complaints in accordance with the protocol specified in the AMOP when a complaint has been received from the complainant or the Wellington Regional Council.
29. The Consent Holder shall maintain a record of any complaints received for the duration of this consent. This record shall include:
- a. Identification of the nature of the complaint;
 - b. The name and address of the notifier where provided;
 - c. The date and time that the notification was received;
 - d. Weather conditions at the time of the complaint;
 - e. Whether or not the NCI site was operating at the time of the complaint;
 - f. The most likely cause of the incident; and
 - g. Any mitigation measures adopted or maintenance undertaken by the consent holder to address the complaint, including the timing of that remedial action.

This record shall be made available to any Wellington Regional Council officer on request.

30. The consent holder shall notify the Manager of any complaints received relating to the exercise of this consent within 24 hours of being received by the Consent Holder.

Note: The Wellington Regional Council will notify the Consent Holder as soon as practical about any odour notifications received that are attributed to the Consent Holder.

31. In the event of any incident that has or could have resulted in a condition or conditions of this consent being contravened, the Consent Holder shall:

- a. Notify the Manager as soon as possible within 24-hours of the consent holder becoming aware of the incident;
- b. Provide an incident report to the Manager within five working days. The written report shall describe reasons for the incident and measures taken to mitigate the effects of the incident and prevent a recurrence; and
- c. Specify what changes, if any, will be made to operating procedures, site practices and the AMOP to prevent/reduce the potential for similar odour events in the future if relevant

Note: The Greater Wellington Regional Council may also investigate any incidents to determine if a breach of this consent or the Resource Management Act 1991 has occurred and may also undertake enforcement action depending on the circumstances.

Annual Report

32. The Consent Holder shall submit an **Annual Report** to the Manager, by **31 May each year**. The report shall be to the satisfaction of the Manager, and shall contain:
 - a. Details of significant maintenance or upgrade items where relevant to the discharge of contaminants or treatment of emissions;
 - b. Details of production information, including amounts and types of coating materials on the aluminium aerosol line and steel can line used per annum;
 - c. Any technical reviews undertaken relating to the AMOP;
 - d. Details and records of monitoring and maintenance of the biofilter device in accordance with Condition 15 and a description of any actions taken to rectify any issues associated with its operation;
 - e. Details and findings of the odour observations undertaken in accordance with Condition 17;
 - f. Details and findings of the assessment of the odour reduction performance of the biofilter and any other mitigation; and
 - g. Details of the information provided to the relevant neighbours in accordance with Condition 28;
 - h. Complaints received and actions implemented by the Consent Holder to minimise effects (if any);
 - o A review of all odour complaints and any patterns as to when they occur in relation to weather conditions, the number of lines working, raw products in use. Comparison of odour complaints received in that year vs previous years and comment on if there are any influencing operations within NCI that may be influencing the number of odour complaints.
 - o Any proposals to change works at the NCI plant in response to the review of the odour complaints.
 - o Comment as to whether the odour complaints received suggest NCI is causing a chronic adverse odour effect
 - i. Details of any incidents on site including the reasons for the incident and measures taken to prevent a reoccurrence;
 - j. Any other information considered relevant.

Review Condition

33. The Greater Wellington Regional Council may review any or all conditions of this consent by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, at any time within three months of the 30 June each year for the duration of this consent for the following purpose:
 - a. To review the adequacy of any report and/or monitoring requirements, and if necessary, amend these requirements outlined in this consent, or

- b. To deal with any adverse effects on the environment that may arise from the exercise of this consent; and which are appropriate to deal with at a later stage;
- c. To enable consistency with any relevant Regional Plans or any National Environmental Standards or Regulations, or
- d. To adopt the best practicable option to remove or reduce any adverse effect on the environment.

The review of conditions shall allow for the deletion or amendment of conditions of this consent; and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any significant adverse effects on the environment.

Notes:

- a. A resource management charge, set in accordance with section 36(2) of the Resource Management Act 1991 shall be paid to the Wellington Regional Council for the carrying out of its functions in relation to the administration, monitoring, and supervision of resource consents and for the carrying out of its functions under section 35 (duty to gather information, monitor, and keep records) of the Act.
- b. The Wellington Regional Council shall be entitled to recover from the consent holder the costs of any review, calculated in accordance with and limited to the Wellington Regional Council's scale of charges in force and applicable at that time pursuant to section 36 of the Resource Management Act 1991.