

29 September 2016

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File ref: 1/4/HDC
6011
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Dear Warwick

LEVIN LANDFILL OBJECTIONABLE ODOUR BEYOND THE PROPERTY BOUNDARY ADVISORY LETTER

Horowhenua District Council (HDC) received a significant non-comply report dated 9 February 2015 from Horizons Regional Council (HRC) relating to the Levin Landfill causing offensive and objectionable odours beyond the landfill boundary. The 9 February report assessed the period from 22 March 2014 to 30 September 2014 and was based on viewing the complainant's odour diary which noted the time, duration, continuity and odour character of each odour event the complainant detected.

Since 30 September 2014 HRC has continued to receive notification from the complainant stating that landfill odours can be detected at their residence. In relation to the on-going nature of the odour complaints MWH consultants, on behalf of HDC, commissioned the following reports:

- *Levin Landfill Odour Assessment* dated February 2015; and
- *Continuous Ambient Air Quality Monitoring for Hydrogen Sulphide – Levin Landfill* dated 10 July 2015

In addition, HDC have carried out the following actions to mitigate against odours beyond the boundary:

- Install a clay cap on a portion of stage 2 of the lined landfill;
- De-sludge the leachate pond; and
- Installed a biofilter associated with the leachate sump (yet to be completed).

Kairanga

Marton

Palmerston North

Taihape

Taumarunui

Wanganui

Woodville

During the 2016 Levin Landfill review a significant amount of evidence was presented by the HDC, HRC and NLG air quality scientists relating to the landfill causing offensive or objectionable odours beyond the boundary. A summary of this evidence is as follows:

- Paragraph 97 of Dr Boddy's statement of evidence report dated 2 September 2016 states "*The findings of my assessment suggest there is the potential for odour nuisance effects to have occurred at Mr and Mrs Grange's property (at 645 Hokio Beach Road), and for these potential effects to continue to occur from time-to-time unless additional odour control (or mitigation) measures are implemented by HDC and the landfill operator*";

- Page 4 of the Expert Witness Conference Joint Witness Statement (11 August 2016) (EWCJWS) between Doug Boddy (for HDC), Deborah Ryan (for HRC) and Louise Wickham (for the NLG) states all three witnesses agree that landfill gas (LFG) is likely to be the main source contributing to offsite odours. This is arising from both Stage 2 and Stage 3 of the landfill because LFG is uncontrolled with no collection and flaring since the previous flare brake down;
- Page 5 and 6 of the EWCJWS states that Deborah Ryan and Louise Wickham consider the landfill is non-compliant with condition 3 of resource consent 6011 while Doug Boddy considers there is potential non-compliance with condition 3; and
- Page 7 of the EWCJWS states all three witnesses agree that the Grange's experience is consistent with current odour sources at the landfill and that the odour complaints are credible.

HRC has carried out proactive odour assessments at the complainant's residence. The odour assessments were prearranged with the complainant and were carried out between 6.00 a.m. and 7.00 a.m. or between 6.00 p.m. and 7.00 p.m. To date, no landfill odours have been detected at the complainant's residence.

It has been HRC's position since 30 September 2014 that it is necessary for a HRC Enforcement Officer to detect odours at the complainant's residence or beyond the landfill property boundary in order to assess condition 3 of resource consent 6011, which states;

There shall be no discharge of odour or dust from the landfill that in the opinion of a Regional Council Enforcement Officer is noxious, dangerous, offensive, or objectionable beyond the property boundary.

Based on the information provided by the three air quality scientists at the landfill review and the wording of condition 3 HRC's approach of assessing condition 3 will change. From the date of this letter HRC does not deem it necessary for an Enforcement Officer to detect odours beyond the landfill property boundary in order to determine a non-compliance of condition 3. Instead, an Enforcement Officer will form an opinion if odour is objectionable or offensive based on available information. This may include, but not limited to, the management of the landfill, air quality reports, metrological conditions and the complainant's odour diary or during a proactive odour assessment.

If you have any queries about this letter please contact me via email stuart.standen@horizons.govt.nz or on 0508 800 800.

Kind regards



Stuart Standen
CONSENTS MONITORING OFFICER