

Environment Protection Authority

Environment Protection (Waste to Resources) Policy 2010

Introductory paper for proposed guidelines on:

- **Assessment of resource recovery facilities**
- **Resource recovery processing requirements**
- **Handling wastes banned from landfills**

Proposed guidelines under the Environment Protection (Waste to Resources) Policy 2010 on:

- **Assessment of resource recovery facilities**
- **Resource recovery processing requirements**
- **Handling wastes banned from landfills.**

Public consultation

The EPA seeks your views regarding proposed guidelines under the *Environment Protection (Waste to Resources) Policy 2010*. This consultation paper may also be obtained from the EPA website <www.epa.sa.gov.au> and hard copies of materials can be posted to you upon request.

Comments on the proposed guidelines are required to be submitted by **Friday 8 June 2012**. It is requested that as far as possible comments are introduced with the relevant guideline heading, section and page number.

Comments may be forwarded by mail or email to:

Principal Advisor, Waste Management
Environment Protection Authority
GPO Box 2607
Adelaide SA 5001

Telephone: (08) 8204 9926

Email: epainfo@epa.sa.gov.au (mark subject as 'Waste to Resources EPP Guidelines')

Website: www.epa.sa.gov.au

Emailed submissions are preferred.

Introduction

Close to 1 million tonnes of waste are still deposited to landfill from metropolitan Adelaide each year. Wasteful consumption and disposal habits are not sustainable because the earth's natural resources are limited. The extraction, processing, manufacturing and distribution of products all contribute to resource depletion, greenhouse gas emissions and reduced biodiversity, which are shaping to be among the greatest challenges facing this and future generations.

South Australia has resource recovery rates that are higher than the national Australian average and second only to the ACT. However, studies previously commissioned by Zero Waste SA (ZWSA) suggest that substantial quantities of waste being disposed of to landfill can be suitable for recovery.

The way South Australians deal with the waste will have a direct bearing on our ability, and that of future South Australians, to live sustainably. We have recognised this as a community and increasingly demand improved waste management and recycling services. *South Australia's Strategic Plan 2011* has the target of reducing waste to landfill by 35% by 2020 from the 2002–03 baseline and *South Australia's Waste Strategy 2011–2015* establishes targets for particular waste streams over time.

The *Environment Protection (Waste to Resources) Policy 2010* (EPP) is a tool for South Australian industry and government to better manage waste through its requirements for suitable waste from metropolitan Adelaide to be subject to resource recovery processes and prohibiting the disposal of certain wastes to landfill.

Under the EPP, from 1 September 2012, suitable wastes produced in metropolitan Adelaide will be required to be subject to resource recovery processes prior to being able to be disposed of to landfill. Certain materials are also generally banned from disposal to landfill under the EPP.

To support the effective administration of these requirements, the Environment Protection Authority (EPA) wishes to make it clear what facilities will be accepted as resource recovery facilities, the processes required to be followed at resource recovery facilities, and how banned wastes should be handled within the waste and resource recovery industry and by other key generators and transporters of waste.

To assist business, local government and organisations, the EPA is developing the following guidance materials:

- 1 Guidelines on the assessment of resource recovery facilities
- 2 Guidelines on resource recovery processing requirements
- 3 Guidelines on handling wastes banned from landfill.

Your views on the proposed guidelines are sought.

Background

The EPA and Zero Waste SA (ZWSA) engaged Rawtec Pty Ltd and Mike Haywood–Sustainable Resource Solutions to provide an analysis of resource recovery facilities servicing metropolitan Adelaide that could be used to support the development of the required guidelines. The report is available on the EPA's website¹.

The report recommends a staged approach to achieving enhanced resource recovery in South Australia and examines the following options:

- 1 business as usual
- 2 data reporting
- 3 resource recovery plans
- 4 source separated and resource recovered material direct to landfill
- 5 specified processes for resource recovery
- 6 resource recovery targets.

The report also identified issues to be considered in developing guidelines for the handling of wastes banned from landfill within resource recovery facilities.

A key outcome from the report is that generic processing requirements for materials or resource recovery targets for specified materials cannot be identified at this time due to the diversity within the industry and the lack of detailed information available to government.

Rawtec Pty Ltd and Mike Haywood–Sustainable Resource Solutions have particularly recommended that data reporting and resource recovery planning by relevant facilities be pursued initially. Enhanced source separation is identified as another option that could be used to maximise efficiency of existing facility infrastructure.

The analysis, findings and recommendations in the contractors' report do not represent the views of the EPA. The EPA, working with ZWSA, has used the options identified in the report to help determine the scope and form of the guidelines.

¹ www.epa.sa.gov.au/xstd_files/Waste/Report/resource_recovery.pdf

Approach by the EPA in drafting the guidelines

The EPA recognises the need for a transparent and smooth transition to support the new waste handling requirements applying from 1 September 2012.

The guidelines recognise previous commitments to approving certain transfer stations as resource recovery facilities, and all of the requirements in the guidelines have been proposed with timings that allow new requirements to be phased in gradually. The guidelines suggest actions to support enhanced resource recovery and compliance with landfill bans in practice as generic processing requirements for materials or resource recovery targets have not been nominated for specified materials.

The EPA is committed to pursuing cost-effective solutions to enhance the quality of our environment and support business in using resources efficiently through the promotion of good environmental practices. The guidelines seek to provide appropriately scaled, efficient and effective mechanisms to enhance resource recovery.

Stakeholder feedback on the reasonableness of the character of proposed requirements and their timing is essential to achieving the best possible outcomes.

Through discussion on banned wastes, industry members have asked for clear information on when a banned waste will need to be removed from a waste load. The guidelines propose both size and quantity limits that have been chosen nominally based on processing in some types of facilities. We are interested in your views on the value of having both size and quantity limits and what the scale of those limits should be (if retained).

The draft guidelines

The draft *Guidelines for the assessment of resource recovery facilities* sets out which activities can dispose of wastes regulated by clause 11 to landfill without needing an approval, the circumstances in which a clause 11 approval should be obtained, and requirements that, if satisfied, will make an activity appropriate for approval. Matters addressed in the draft document include:

- Activities which can dispose of wastes regulated by clause 11 to landfill without needing an approval
- Do you need to seek a clause 11 approval?
- How will the EPA assess approval requests for transfer stations (including skip bin facilities)?
- How will the EPA assess approval requests for other waste or recycling depots?
- How will the EPA assess approval requests for activities co-located with a landfill depot?
- Assessing clause 11 approvals for other activities
- Linkage with the handling wastes banned from landfills.

The draft *Guidelines on resource recovery processing requirements* sets out the straightforward requirements that need to be followed to enable an activity to determine that a waste need not be subject to treatment, or further treatment, for resource recovery prior to disposal to landfill. It also outlines data reporting requirements and resource recovery planning requirements that may be made the subject of licence conditions or clause 11 approvals. Matters addressed in the draft document include:

- Who determines whether waste needs any further treatment for resource recovery prior to disposal?
- Initial considerations in assessing whether waste is being handled appropriately
- EPA requirements relating to all facilities when making determinations to send waste to landfill without further treatment for resource recovery
- Resource recovery conditions for licences and clause 11 approvals—data reporting and resource recovery planning

The draft *Guidelines for the handling of wastes banned from landfills* sets out specific expectations for the handling of banned wastes by different participants within the waste and resource recovery industry, local government and general employers. Matters addressed in the draft document include:

- Who determines that waste can go to landfill?
- Handling expectations for transfer stations (including skip bin facilities), mechanised material recovery facilities, recycling operations and manufacturers of recovered products, composting depots and landfill depots.
- Handling expectations for waste transporters, councils, public place bins and employers.

It is expected that consultation will lead to a refinement of guidance on any size and volume qualification of materials that can be reasonably removed by different facility types.

The guidelines have been designed to enable interested people to quickly find the elements that are of relevance to them. In particular, the *Guidelines for the handling of banned wastes* contain stand-alone sections for each type of waste management participant.

Specific questions of interest

The guidance materials cover a range of subjects and waste management participants. You may well be interested in some aspects of the draft guidelines but not others. Specific matters on which the EPA seeks your views include responses to the questions below as far as they are of interest or relevance to you (ie there is no need to answer all questions).

General

- Do you agree with the general features of each of the guidelines?
- Are there any general changes or suggestions that you would like to see made?

Guidelines on the assessment of resource recovery facilities

- Section 3 – Do you consider your facility would need an approval under clause 11 to be able to dispose of waste (or some wastes) directly to landfill?
- Section 3 – Do you plan to seek a clause 11 approval during 2012? Why?
- Section 4.2 – Do you consider the requirements nominated for transfer stations (including skip bin facilities) to be reasonable and practicable? Would the requirements involve any change in practice from what is being undertaken at your facility currently?
- Section 4.3 – Do you have any views on the matters the EPA will consider for other new waste or recycling depots that are seeking a clause 11 approval?
- Section 5 – Do you consider the requirements nominated for other activities (refer section 3.2) to be reasonable and practicable? Would the requirements involve any change in practice from what is being undertaken at your facility currently?

Guidelines on resource recovery processing requirements

- Section 3.2 – Do you consider the requirements that must be followed by an operator of any clause 11(3) facility when making a determination to dispose of wastes to landfill to be reasonable and practicable? If not, why not? Are there any other requirements that you believe should be required? Are the proposed timing requirements realistic?
- Section 3.2 – Would following the requirements involve any changes in practice from what is being currently undertaken at your facility or within your process currently?
- Section 4.2 – Do you have any comments on the proposed requirements for data reporting? Would you have any difficulty reporting this information? How would you calculate this information? Is the proposed reporting frequency

straightforward for you (or would you prefer more or less frequent reporting)? Is there any other information you believe ought to be reported?

- Section 4.3 – Do you have any comments on proposed resource recovery plans (RRPs)? Is the scope of facilities that will need to prepare RRP appropriate? Is the proposed content appropriate? Does your facility have existing plans that could meet requirements of a RRP (with or without modification)?

Guidelines for the handling wastes banned from landfills

- Section 3 – In your view, are the requirements that must be followed by the different waste facility types when making a determination on whether the waste needs to be subject to treatment or further treatment for the removal of banned wastes to be reasonable and practicable? If not, why not? Are there any other requirements that you believe should be required? Are the proposed timing requirements realistic?
- Section 3 – Is it appropriate to have both size and volume limits? Are the limits reasonable and practicable within your business practices?
- Section 3 – Would following the requirements involve any changes in practice from what is being undertaken at your facility or within your process currently?
- Section 4.2 – Do you consider the education role that councils may pursue (working with ZWSA and EPA) to ensure avoidance of any breach of a landfill ban to be reasonable and practicable?
- Section 4.2 – What are your views regarding the expectation for the handling of banned wastes that are collected by councils through hard waste collections or responding to illegal dumping incidents?
- Section 4.4 – Do you consider the actions that employers engaged in handling banned wastes may take to ensure avoidance of any breach of a landfill ban to be reasonable and practicable?

All submissions received by the EPA during the consultation period will be acknowledged and treated as public documents unless provided in confidence, subject to the requirements of the *Freedom of Information Act 1991*, and may be quoted in EPA reports.