

7 September 2015

Response via email to: Christopher.Stewart@ehp.qld.gov.au

Mr Chris Stewart
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Environment
Institute of
Australia and
New Zealand
SOUTH EAST QLD DIVISION

Re: EIANZ's Comments on the Waste ERA Framework and Regulated Waste Review

The Environment Institute of Australia and New Zealand (EIANZ) Southeast Queensland Division is pleased to submit its comments on the Waste ERA Framework and Regulated Waste Review and thanks the Department for the opportunity. We look forward to working closely with the Department in the future to develop the best environmental outcomes for Queensland.

The EIANZ is the leading professional body in Australia and New Zealand for environmental practitioners, and promotes independent and interdisciplinary discourse on environmental issues. On all issues and all projects the Institute advocates good practice environmental management delivered by competent and ethical environmental practitioners.

The EIANZ had limited time to review the documents provided on 28 August. However, we welcome the opportunity to work closely with the Department in the future to ensure beneficial environmental outcomes for Queensland.

EIANZ welcomes the move away from source-based classifications of regulated wastes to a risk based, characterisation approach and supports the outlined draft decision making framework. However, EIANZ notes caution regarding the cost and availability of some testing opportunities and also asks the Department if the current penalty provisions associated with the misreporting of waste characteristics from (waste) generators will be reviewed as part of this work. The clarification around licence requirements for the transport of asbestos is particularly welcome.

We would like to make the following comments relating to the Consultation.

- ERA 20 – Further consideration should be given to the suitability of incorporating ERA52 (Battery Recycling) into ERA20 (Metal Recovery). Battery recycling may be better controlled and conditioned under ERA55 (Regulated Waste Recycling or Reprocessing). Currently, the three battery recyclers in Queensland dismantle lead acid (and similar) batteries, sending the metals overseas for further reprocessing. The acid and wash down water pose a significant environmental risk and therefore its generation, storage and treatment is appropriately conditioned. Whilst many batteries are collected at metal recovery facilities, where they are removed from cars and other vehicles, there must be no risk of battery recycling being undertaken as part of 'normal' metal recovery facilities. The waste water collection systems on site (for ERA20) are not appropriate for the collection (during dismantling), storage and treatment of concentrated acids.

- ERA33 1 (b) – reduce the threshold of ‘1,000 or more equivalent passenger units of tyres, or parts of tyres’ to 500, in line with NSW and Victoria.
- ERA 60 (Waste Disposal) – a category for a closed landfill is required. Currently on Ecotrack, the Department cannot differentiate between closed versus open/active waste disposal facilities. Presently, local government and private industry utilise the threshold ‘less than 50,000t’ for a closed landfill. This still incurs a considerable annual fee (AES 50) as well as application fees for the amendment; and the facilities retain the same environmental conditions as an open/active landfill. EIANZ understands that the ongoing operational considerations and environmental risks posed by a closed landfill are very different to those of an active landfill. As such, EIANZ is proposing a new category for ERA60 of a ‘closed landfill’ with a small annual fee to cover annual Department inspections/audits coupled with standard operating conditions for ‘closed landfill’.
- ERA62 – EIANZ asks for the removal of the following statement from the discussion notes: ‘It is not intended that sites storing skip bins containing non-regulated waste where the waste remains in the skip be captured by this ERA’. EIANZ is mindful that numerous waste transfer facilities operate exactly in this way. To exempt these facilities from the ERA will cause market distortions between licenced and unlicensed facilities and may encourage negative operational practices to avoid licencing.

The EIANZ would also support a single unified characterisation of contaminated soils incorporated into the regulated waste framework. This would be in line with changes being implemented for contaminated land.

We acknowledge and thank you for the opportunity to contribute to the consultative process. Please contact me on 07 5429 8480 or at seq@eianz.org if you have any questions regarding our comments.

Yours faithfully,



Vicki Brady
EIANZ SEQ
President