



Department of
**Environment and
Heritage Protection**

Ref 101/0007889

15 September 2016

Wood Mulching Industries Pty Ltd
C/- Brinkhurst Accountants
57 Runway Drive
Upper Coomera Qld 4209

Dear Sir/Madam

I am writing to you about the receipt and composting of wastes for composting under Environmentally Relevant Activity (ERA) 53 Composting and soil conditioner manufacturing.

The Department of Environment and Heritage Protection (the department) has undertaken a review of waste tracking data, specifically regarding whether the range of feedstocks being accepted by composters in Queensland conforms to the range of those that may be accepted for composting under ERA 53.

Fundamentally, the process of composting is based around the biological breakdown of solid organic matter (e.g. green waste, manures) and other feedstocks derived from plant or animal matter. The model conditions forming the basis for the regulation of composting and soil conditioner manufacturing have been developed taking account of the environmental risks of receipt of the range of these 'permitted' feedstocks. Likewise, Australian Standard 4454 imposes final product quality parameters based upon presumptions that the feedstocks into the composting process will be animal or plant based.

From the perspective of the regulation of composting and soil conditioner manufacturing in Queensland, the model conditions have been developed taking account of some calculable risks associated with the receipt of plant or animal based wastes and do not contemplate the risks of receiving other feedstocks for composting. Consequently these conditions are not considered adequate to manage the environmental risk of the receipt of a wider range of feedstock.

While the list of wastes and materials that may be accepted for composting under ERA 53 is an inclusive (non-exhaustive) list, the listed wastes are permitted are comprised principally of material of plant or animal origin. No synthetic wastes or materials are included in that list of acceptable wastes, with one exception being wastes derived from the manufacture or formulation of fertilisers for horticultural, agricultural or garden use. These substances are

purposely manufactured to promote plant growth and consist with the normal range of compostable substances.

A range of feedstocks that may not be accepted under ERA 53 are also specified in the ERA description, to remove any doubts as to the types of materials that do not accord with the normally accepted inputs to the composting process. I have referred to these wastes as 'excluded wastes' hereon in. The following are excluded wastes under ERA 53 —

- clinical or related waste;
- contaminated soil;
- organic chemicals, other than a substance used for the manufacturing fertiliser for agricultural, horticultural or garden use; or
- plastics that are not compostable.

Chemical, is defined in Schedule 12 of the *Environmental Protection Regulation 2008* as:

- (a) an agricultural chemical product or veterinary chemical product under the *Agricultural and Veterinary Chemicals Code Act 1994* (Cwlth);
- (b) a dangerous good under the dangerous goods code; or
- (c) a drug or poison in the 'Standard for the Uniform Scheduling of Drugs and Poisons' compiled by the Australian Health Ministers' Advisory Council and published by the Commonwealth; or
- (d) a substance intended for use as
 - (i) a fertiliser for agricultural, horticultural or garden use, other than mushroom growing substrate or compost;
 - (ii) a paint solvent, pigment, dye, printing ink, industrial polish, adhesive, sealant, food additive, bleach, sanitiser, disinfectant, or biocide;
 - (iii) a pesticide, insecticide, fungicide, herbicide, rodenticide, nematocide, miticide, fumigant or related product; or
 - (iv) a surface active agent, including, for example, soap and detergent; or
- (e) class 1 or 2 combustible liquids under AS 1940.

The review of waste tracking data reveals that the receipt of excluded wastes, purportedly under the auspices of ERA 53, is widespread in the composting industry. Some examples of excluded wastes that have been accepted by composters include:

- detergents / surfactants
- ether
- organic solvents
- paint waste/wash water
- acid water
- alkali solutions or alkaline solid waste
- ferrous sulphate heptahydrate
- ash
- hypochlorite solution

- sand/chlorine
- thiocyanate/Grout slurry
- landfill leachate
- dye waste
- mineral oil mixtures or emulsions

You should immediately cease acceptance of all excluded wastes for composting, and should not recommence receipt of these excluded wastes unless you obtain —

- an environmental authority for ERA 55 that permits you to receive the wastes; or
- a beneficial use approval (BUA), whether specific or general, authorising the acceptance of this material for composting.

Separately, the department will be contacting a range of waste generators and transporters confirming their responsibility for the lawful disposal and transportation of such wastes.

While any specific waste stream (such as an organic chemical) may ultimately be shown to be suitable for composting, the evidentiary rigour around the suitability of these materials will need to be established before the department will contemplate authorising its receipt for use in composting. Additional conditions may be imposed upon an environmental authority for ERA 55 or a BUA for the receipt of such materials taking account of the specific environmental risks of the material or waste.

Further investigation is underway regarding the acceptance of an extended range of purportedly organic wastes, to assess whether they do fall within the range of wastes that may be received under ERA 53. Should the outcomes of such a review confirm that some wastes streams are, in fact, excluded waste, the department will write to you again confirming the outcomes of that investigation.

Should you have any further enquiries, please contact Mr Scott Blanchard, Compliance Delivery Manager of the department on telephone (07) 3894 8152.

Yours sincerely

schedule 4 - signature

Scott Blanchard
Compliance Delivery Manager
South Queensland Compliance, Ipswich
Environmental Services and Regulation
Department of Environment and Heritage Protection



Queensland
Government
Department of
**Environment and
Heritage Protection**

Ref 101/0007139

15 September 2016

Canerase Pty Ltd
620 Mount Crosby Road
ANSTEAD QLD 4070

Dear Sir/Madam

I am writing to you about the receipt and composting of wastes for composting under Environmentally Relevant Activity (ERA) 53 Composting and soil conditioner manufacturing.

The Department of Environment and Heritage Protection (the department) has undertaken a review of waste tracking data, specifically regarding whether the range of feedstocks being accepted by composters in Queensland conforms to the range of those that may be accepted for composting under ERA 53.

Fundamentally, the process of composting is based around the biological breakdown of solid organic matter (e.g. green waste, manures) and other feedstocks derived from plant or animal matter. The model conditions forming the basis for the regulation of composting and soil conditioner manufacturing have been developed taking account of the environmental risks of receipt of the range of these 'permitted' feedstocks. Likewise, Australian Standard 4454 imposes final product quality parameters based upon presumptions that the feedstocks into the composting process will be animal or plant based.

From the perspective of the regulation of composting and soil conditioner manufacturing in Queensland, the model conditions have been developed taking account of some calculable risks associated with the receipt of plant or animal based wastes and do not contemplate the risks of receiving other feedstocks for composting. Consequently these conditions are not considered adequate to manage the environmental risk of the receipt of a wider range of feedstock.

While the list of wastes and materials that may be accepted for composting under ERA 53 is an inclusive (non-exhaustive) list, the listed wastes are permitted are comprised principally of material of plant or animal origin. No synthetic wastes or materials are included in that list of acceptable wastes, with one exception being wastes derived from the manufacture or formulation of fertilisers for horticultural, agricultural or garden use. These substances are

purposely manufactured to promote plant growth and consist with the normal range of compostable substances.

A range of feedstocks that may not be accepted under ERA 53 are also specified in the ERA description, to remove any doubts as to the types of materials that do not accord with the normally accepted inputs to the composting process. I have referred to these wastes as 'excluded wastes' hereon in. The following are excluded wastes under ERA 53 —

- clinical or related waste;
- contaminated soil;
- organic chemicals, other than a substance used for the manufacturing fertiliser for agricultural, horticultural or garden use; or
- plastics that are not compostable.

Chemical, is defined in Schedule 12 of the *Environmental Protection Regulation 2008* as:

- (a) an agricultural chemical product or veterinary chemical product under the *Agricultural and Veterinary Chemicals Code Act 1994* (Cwlth);
- (b) a dangerous good under the dangerous goods code; or
- (c) a drug or poison in the 'Standard for the Uniform Scheduling of Drugs and Poisons' compiled by the Australian Health Ministers' Advisory Council and published by the Commonwealth; or
- (d) a substance intended for use as
 - (i) a fertiliser for agricultural, horticultural or garden use, other than mushroom growing substrate or compost;
 - (ii) a paint solvent, pigment, dye, printing ink, industrial polish, adhesive, sealant, food additive, bleach, sanitiser, disinfectant, or biocide;
 - (iii) a pesticide, insecticide, fungicide, herbicide, rodenticide, nematocide, miticide, fumigant or related product; or
 - (iv) a surface active agent, including, for example, soap and detergent; or
- (e) class 1 or 2 combustible liquids under AS 1940.

The review of waste tracking data reveals that the receipt of excluded wastes, purportedly under the auspices of ERA 53, is widespread in the composting industry. Some examples of excluded wastes that have been accepted by composters include:

- Detergents
- Ether
- Organic solvents
- Paint waste/wash water
- Acid water
- Ferrous sulphate heptahydrate
- Ash
- Hypochlorite solution
- Sand/chlorine

- Thiocyanate/Grout slurry
- Landfill leachate
- Dye waste
- Mineral oils

You should immediately cease acceptance of all excluded wastes for composting, and should not recommence receipt of these excluded wastes unless you obtain —

- an environmental authority for ERA 55 that permits you to receive the wastes; or
- a beneficial use approval (BUA), whether specific or general, authorising the acceptance of this material for composting.

Separately, the department will be contacting a range of waste generators and transporters confirming their responsibility for the lawful disposal and transportation of such wastes.

While any specific waste stream (such as an organic chemical) may ultimately be shown to be suitable for composting, the evidentiary rigour around the suitability of these materials will need to be established before the department will contemplate authorising its receipt for use in composting. Additional conditions may be imposed upon an environmental authority for ERA 55 or a BUA for the receipt of such materials taking account of the specific environmental risks of the material or waste.

Further investigation is underway regarding the acceptance of an extended range of purportedly organic wastes, to assess whether they do fall within the range of wastes that may be received under ERA 53. Should the outcomes of such a review confirm that some wastes streams are, in fact, excluded waste, the department will write to you again confirming the outcomes of that investigation.

Should you have any further enquiries, please contact Mr Scott Blanchard, Compliance Delivery Manager of the department on telephone (07) 3894 8152.

Yours sincerely

schedule 4 - signature

Scott Blanchard
Compliance Delivery Manager
South Queensland Compliance, Ipswich
Environmental Services and Regulation
Department of Environment and Heritage Protection