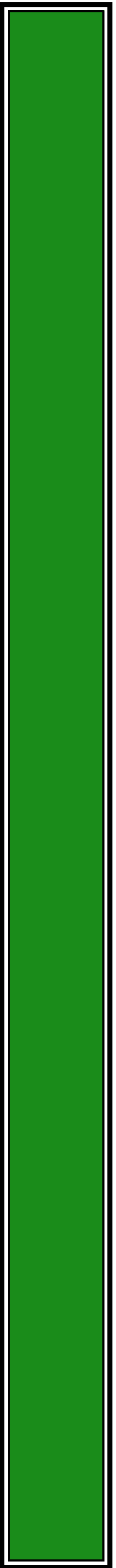


Attachment 9

Letter from the Australian Department of  
Environment





Mr Ben Sawley  
ResourceCo Asia (Australia) Pty Ltd  
PO Box 542  
ENFIELD PLAZA SA 5085

Dear Mr Sawley

**Re: Classification of Process Engineered Fuels**

Thank you for your enquiry about the categorisation of Process Engineered Fuels (PEF) by this Department, and if it would be considered "hazardous waste".

The *Hazardous Waste (Regulation of Exports and Imports) Act 1989* (the Act) regulates the export, import and transit of hazardous waste. The Act was developed to enable Australia to comply with specific obligations under the "*Basel Convention on the Control of the Transboundary Movements of Hazardous Wastes and their Disposal*".

We understand that PEF is produced by ResourceCo Asia Pty Ltd (ResourceCo) for export to South East Asia.

On the basis of the information which you have provided to us, in particular, the levels of lead, cadmium and mercury, the Department would not consider the PEF produced by ResourceCo to be hazardous, as long as the material does not contain any other substances that would result in the material exhibiting Basel Convention Annex III characteristics. This means that under the Act, you are not required to obtain a permit to export the material. We strongly urge you to obtain advice from the country of import and any transit countries to ensure you are in compliance with international laws and regulations.

If you have any queries in relation to this matter please contact the Hazardous Waste Section by phone on 02 6274 1111 or by email at [hwa@environment.gov.au](mailto:hwa@environment.gov.au).

Yours sincerely

Paul Kesby  
Director  
Hazardous Waste Section  
22 March 2016