



Our reference: DOC19/9222444-03

John Studdert  
Quality Assurance & Environmental Coordinator  
160 Bolong Rd, Bomaderry, NSW 2541  
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Dear Mr Studdert,

**Resource Recovery Order and Exemption for sawmilling and forestry residue**

I am writing in relation to your application to renew the resource recovery order and resource recovery exemption for biomass (sawmilling and forestry residue) used as boiler fuel at Shoalhaven Starches (Environment Protection Licence Number 883).

I am pleased to enclose a finalised copy of *The Shoalhaven Starches sawmilling residue (energy recovery) order 2019* ('order') and *The Shoalhaven Starches sawmilling residue (energy recovery) exemption 2019* ('exemption').

The conditions set out in the order and exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, although neither the order nor the exemption guarantee that the environment, human health or agriculture will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

The order and exemption will commence on 30 October 2019 and is valid until 30 October 2021, unless revoked by the Environment Protection Authority (EPA) by notice in writing at an earlier date.

Please note, you must notify the EPA within seven days of becoming aware that you have not complied with any requirement of the order or exemption. Please send information on non-compliances to [waste.exemptions@epa.nsw.gov.au](mailto:waste.exemptions@epa.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Giunta'.

30/10/2019

**KATHY GIUNTA**  
**Director Resource Recovery Policy**  
**Environment Protection Authority**



## **Resource Recovery Order under Part 9, Clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014**

### **The Shoalhaven Starches sawmilling residue (energy recovery) order 2019**

#### **Introduction**

This order, issued by the Environment Protection Authority (EPA) under clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014 (Waste Regulation), imposes the requirements that must be met by suppliers to which 'The Shoalhaven Starches sawmilling residue (energy recovery) exemption 2019' applies. The requirements in this order apply in relation to the supply of sawmilling residue for use as a fuel during boiler operation at the Shoalhaven Starches facility (Environment Protection Licence Number 883) located at 160 Bolong Road, Bomaderry NSW 2541.

#### **1. Waste to which this order applies**

- 1.1. This order applies to sawmilling residue. In this order, sawmilling residue is uncontaminated, organic fibrous wood residues and natural wood wastes that result from forestry and sawmilling operations such as, heads, brash or tree thinnings, sawmill sawdust, shavings, chips, bark and other offcuts. Sawmilling residue is generated by Boral timber mill (Narooma, Nowra and Heron's Creek) and Romney Park sawmill operations, and supplied by Eco Mulch Supplies Pty Ltd and Nerrigundah Woodchips Pty Ltd, respectively.

Sawmilling residue must be comprised of natural timber residues and must be free from contamination, including treated, preserved, lacquered, glued, laminated or coated timber or wood products. Sawmilling residue does not include material that has been treated or sprayed by herbicides, pesticides or any other chemical treatment.

#### **2. Persons to whom this order applies**

- 2.1. The requirements in this order apply, as relevant, to any person who supplies sawmilling residue that has been generated, processed or recovered by the person.
- 2.2. This order does not apply to the supply of sawmilling residue as a fuel to a consumer at a premises for which the consumer holds a licence under the POEO Act that authorises the carrying out of the scheduled activities on the premises under clause 18 'energy recovery' or clause 40 'waste disposal (thermal treatment)' of Schedule 1 of the POEO Act.

#### **3. Duration**

- 3.1. This order commences on 30 October 2019 and is valid until 30 October

2021, unless revoked by the EPA by notice in writing at an earlier date.

#### **4. Processor requirements**

The EPA imposes the following requirements on any processor who provides sawmilling residue to the consumer.

##### **Quality control requirements**

- 4.1. Before supplying the sawmilling residue, the processor must develop and implement a method to ensure that the material meets the definition of sawmilling residue provided under condition 1.1, and to check for the presence of potential contaminants.
- 4.2. The processor must ensure that the sawmilling residue is appropriately stored and handled to minimise potential for cross contamination.
- 4.3. All loads must be visually assessed for the presence of potential contaminants prior to transportation.
- 4.4. Before supplying the sawmilling residue, the processor must prepare a written Quality Control Plan (QCP, or equivalent), which must include:
  - 4.4.1. material storage and transport options, which provide measures for minimising potential contamination from external sources;
  - 4.4.2. a process to assess for the presence of physical contaminants or non-conforming material, including visual inspection of the sawmilling residue;
  - 4.4.3. a chain of custody procedure that tracks the movement of the sawmilling residue from the point of generation to its final supply point; and
  - 4.4.4. provision to train staff on the identification of prohibited waste material and the QCP.

##### **Notification**

- 4.5. On or before each transaction, the processor must provide the following to each person to whom the sawmilling residue is supplied:
  - a written statement of compliance certifying that all the requirements set out in this order have been met;
  - a copy of 'the Shoalhaven Starches sawmilling residue (energy recovery) exemption 2019'; and
  - a copy of 'the Shoalhaven Starches sawmilling residue (energy recovery) order 2019'.

##### **Record keeping and reporting**

- 4.6. The processor must keep a written record of the following for a period of six years:
  - the QCP (work instructions) required to be prepared under clause 4.4;
  - the source of the sawmilling residue supplied (including name and location);
  - the quantity of the sawmilling residue supplied;
  - chain of custody documentation relevant to the transport of the sawmilling residue; and
  - the name and address of each person to whom the processor supplied the sawmilling residue.



## 5. Definitions

In this order:

**consumer** means a person who uses, or intends to use sawmilling residue as a fuel. The consumer in this order is Shoalhaven Starches Pty Ltd.

**engineered wood products** means engineered, painted, treated or composite wood products such as particleboard, oriented strand board, plywood, laminated veneer lumber, glulam or fireboard that are manufactured with glues, resins, water repellents, fire retardants, fungal inhibitors and/or other chemicals.

**generator** means a person who generates sawmilling residue for supply to a processor. The generators in this order are Boral timber mills (Narooma, Nowra and Heron's Creek) and Romney Park sawmill operations.

**sawmilling operations** are the primary processing of round wood and forest products into non-round wood products such as planks, boards, beams and other cut and processed wood products.

**processor** means a person who supplies sawmilling residue to a consumer. The processors in this order are Eco Mulch Supplies Pty Ltd and Nerrigundah Woodchips Pty Ltd.

**transaction** means:

- in the case of a one-off supply, the supply of a batch, truckload or stockpile of sawmilling residue that is not repeated.
- in the case where the processor or generator has an arrangement with a consumer for more than one supply of sawmilling residue, the first supply of sawmilling residue as required under the arrangement.



30/10/2019

**Director Resource Recovery Policy  
Environment Protection Authority**

## Notes

The EPA may amend or revoke this order at any time. It is the responsibility of each of the supplier, generator and processor to ensure it complies with all relevant requirements of the most current order.

In gazetting or otherwise issuing this order, the EPA is not in any way endorsing the supply or use of this substance or guaranteeing that the substance will confer benefit.

Prior to supplying the sawmilling residue, the generator and processor must ensure adherence to the waste hierarchy, and that no higher order opportunities exist such as avoidance of the waste materials produced. This order relates to sawmilling residue, and does not encompass felling or logging for the purposes of energy recovery or thermal treatment of that material.

The conditions set out in this order are designed to minimise the risk of potential harm to the environment, human health or agriculture, although neither this order nor the accompanying exemption guarantee that the environment, human health or agriculture will not be harmed.

Any person or entity which supplies sawmilling residue should assess whether the material is fit for the purpose the material is proposed to be used for, and whether this use may cause harm. The processor may need to seek expert engineering or technical advice.

Regardless of any exemption or order provided by the EPA, the person who causes or permits the thermal treatment of the substance must ensure that the action is lawful and consistent with any other legislative requirements including, if applicable, any development consent(s) for managing operations on the site(s).

The supply of sawmilling residue remains subject to other relevant environmental regulations in the POEO Act and Waste Regulation. For example, a person who pollutes land (s. 142A) or water (s. 120), or causes air pollution through the emission of odours (s. 126), or does not meet the special requirements for asbestos waste (Part 7 of the Waste Regulation), regardless of this order, is guilty of an offence and subject to prosecution.

This order does not alter the requirements of any other relevant legislation that must be met in supplying this material. Failure to comply with the conditions of this order constitutes an offence under clause 93 of the Waste Regulation.



## **Resource Recovery Exemption under Part 9, Clauses 91 and 92 of the Protection of the Environment Operations (Waste) Regulation 2014**

### **The Shoalhaven Starches sawmilling residue (energy recovery) exemption 2019**

#### **Introduction**

This exemption:

- is issued by the Environment Protection Authority (EPA) under clauses 91 and 92 of the Protection of the Environment Operations (Waste) Regulation 2014 (Waste Regulation); and
- exempts a consumer of sawmilling residue from certain requirements under the *Protection of the Environment Operations Act 1997* (POEO Act) and the Waste Regulation in relation to the use of that waste as a fuel, provided the consumer complies with the conditions of this exemption.

This exemption must be read in conjunction with 'the Shoalhaven Starches sawmilling residue (energy recovery) order 2019'.

#### **1. Waste to which this exemption applies**

- 1.1. This exemption applies to sawmilling residue that is, or is intended to be, used as a fuel for the purpose of boiler operations.
- 1.2. Sawmilling residue is uncontaminated, organic fibrous wood residues and natural wood wastes that result from forestry and sawmilling operations such as, heads, brash or tree thinnings, sawmill sawdust, shavings, chips, bark and other offcuts. Sawmilling residue is generated by Boral timber mill (Narooma, Nowra and Heron's Creek) and Romney Park sawmill operations, and supplied by Eco Mulch Supplies Pty Ltd and Nerrigundah Woodchips Pty Ltd, respectively.

Sawmilling residue must be comprised of natural timber residues and must be free from contamination, including treated, preserved, lacquered, glued, laminated or coated timber or wood products. Sawmilling residue does not include material that has been treated or sprayed by herbicides, pesticides or any other chemical treatment.

#### **2. Persons to whom this exemption applies**

- 2.1. This exemption applies to any person who uses, or intends to use, sawmilling residue as set out in 1.1.



### **3. Duration**

- 3.1. This exemption commences on 30 October 2019 and is valid until 30 October 2021, unless revoked by the EPA by notice in writing at an earlier date.

### **4. Premises to which this exemption applies**

- 4.1. This exemption applies to the Shoalhaven Starches facility located at 160 Bolong Road, Bomaderry NSW 2541 (Environment Protection Licence number 883).

### **5. Exemption**

- 5.1. Subject to the conditions of this exemption, the EPA exempts each consumer from the following provisions of the POEO Act and the Waste Regulation in relation to the consumer's actual or intended use of sawmilling residue as a fuel for the purpose of boiler operation at the premises:
- section 48 of the POEO Act in respect of the scheduled activities described in clauses 40 and 42 of Schedule 1 of the POEO Act;
  - Part 4 of the Waste Regulation;
  - section 88 of the POEO Act; and
  - clause 109 and 110 of the Waste Regulation.
- 5.2. The exemption does not apply in circumstances where sawmilling residue is received at the premises for which the consumer holds a licence under the POEO Act that authorises the carrying out of the scheduled activities on the premises under clause 18 'energy recovery' or clause 40 'waste disposal (thermal treatment)' of Schedule 1 of the POEO Act.

### **6. Conditions of exemption**

The exemption is subject to the following conditions:

- 6.1. At the time the sawmilling residue is received at the premises, the material must meet all quality control requirements which are required on or before the supply of sawmilling residue under 'the Shoalhaven Starches sawmilling residue (energy recovery) order 2019'.
- 6.2. Sawmilling residue can be used as a fuel for the purposes of boiler operation at the Shoalhaven Starches facility located at 160 Bolong Road, Bomaderry NSW 2541.
- 6.3. The consumer must develop and implement a Waste Acceptance Procedure (WAP) to assess compliance of the material received, which should include:
- 6.3.1. load inspection procedures to assess for the presence of potential contaminants;
  - 6.3.2. acceptance criteria for loads of White Cypress forestry residue received, including visual characterisation, homogeneity assessment and adequacy of the methods of transport;
  - 6.3.3. review of information and documentation provided with the transported load, such as compliance certificates and chain of custody documentation;
  - 6.3.4. quarantine and response measures for rejected loads; and
  - 6.3.5. provision to train staff on the identification of prohibited waste material and the WAP.

- 6.4. The consumer must provide adequate storage and transfer measures for all loads of sawmilling residue received, with consideration for minimising potential contamination. Storage considerations on site must also include a quarantine area for rejected loads.
- 6.5. The consumer must keep a written record of the following for a period of six years:
- the quantity of any sawmilling residue received; and
  - the name and address of the supplier of the sawmilling residue received.
- 6.6. The consumer must make any records required to be kept under this exemption available to authorised officers of the EPA on request.
- 6.7. The consumer must ensure that any use of the sawmilling residue as a fuel must occur within a reasonable period of time after its receipt.

## 7. Definitions

In this exemption:

**consumer** means a person who uses, or intends to use sawmilling residue as a fuel. The consumer in this order is Shoalhaven Starches Pty Ltd.

**engineered wood products** means engineered, painted, treated or composite wood products such as particleboard, oriented strand board, plywood, laminated veneer lumber, glulam or fireboard that are manufactured with glues, resins, water repellents, fire retardants, fungal inhibitors and/or other chemicals.

**generator** means a person who generates sawmilling residue for supply to a processor. The generators in this order are Boral timber mills (Narooma, Nowra and Heron's Creek) and Romney Park sawmill operations.

**sawmilling operations** are the primary processing of round wood and forest products into non-round wood products such as planks, boards, beams and other cut and processed wood products.

**processor** means a person who supplies sawmilling residue to a consumer. The processors in this order are Eco Mulch Supplies Pty Ltd and Nerrigundah Woodchips Pty Ltd.



30/10/2019

**Director Resource Recovery Policy**  
**Environment Protection Authority**



## Notes

The EPA may amend or revoke this exemption at any time. It is the responsibility of the consumer to ensure they comply with all relevant requirements of the most current exemption

The consumer must adhere to all air emission sampling and monitoring requirements as provided on Shoalhaven Starch's Environment Protection Licence (EPL 883).

In gazetting or otherwise issuing this exemption, the EPA is not in any way endorsing the use of this substance or guaranteeing that the substance will confer benefit.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, although neither this exemption nor the accompanying order guarantee that the environment, human health or agriculture will not be harmed.

The consumer must assess whether or not the sawmilling residue is fit for the purpose the material is proposed to be used for, and whether this use will cause harm. The consumer may need to seek expert engineering or technical advice.

Regardless of any exemption provided by the EPA, the person who causes or permits the use of the substance as a fuel must ensure that the action is lawful and consistent with any other legislative requirements including, if applicable, any development consent(s) for managing operations on the site(s).

The receipt of sawmilling residue remains subject to other relevant environmental regulations in the POEO Act and the Waste Regulation. For example, a person who pollutes land (s. 142A) or water (s. 120), or causes air pollution through the emission of odours (s. 126), or does not meet the special requirements for asbestos waste (Part 7 of the Waste Regulation), regardless of having an exemption, is guilty of an offence and subject to prosecution.

This exemption does not alter the requirements of any other relevant legislation that must be met in utilising this material. Failure to comply with the conditions of this exemption constitutes an offence under clause 91 of the Waste Regulation.

Ash generated from the use of sawmilling residue at the Shoalhaven Starches facility must be managed in accordance with *The ash from burning biomass order 2014* and *The ash from burning biomass exemption 2014*, or disposed at a facility licensed to receive the waste.