

## **APPENDIX 3**

# **Existing Environmental Licence; Trade Wastewater Consent (Seven Hills); Treated Grease Trap Waste Exemption and Order 2014; Liquid Food Waste Exemption and Order 2014**

# Environment Protection Licence

Licence - 10870



## Licence Details

Number:	10870
Anniversary Date:	23-June

## Licensee

J.J. RICHARDS &amp; SONS PTY LTD

PO BOX 235

CLEVELAND QLD 4163

## Premises

J.J. RICHARDS &amp; SONS PTY LTD

UNITS 23-24/20 TUCKS ROAD

SEVEN HILLS NSW 2147

## Scheduled Activity

Waste Processing (non-thermal treatment)

Waste Storage

## Fee Based Activity

## Scale

Non-thermal treatment of hazardous and other waste	> 0 T treated
Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	> 0 T stored

## Region

Hazardous Materials, Chemicals &amp; Radiation

59-61 Goulburn Street

SYDNEY NSW 2000

Phone: (02) 9995 5000

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PO Box A290 SYDNEY SOUTH

NSW 1232

# Environment Protection Licence

Licence - 10870



<b>INFORMATION ABOUT THIS LICENCE</b>	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
<b>1 ADMINISTRATIVE CONDITIONS</b>	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Information supplied to the EPA	6
<b>2 LIMIT CONDITIONS</b>	7
L1 Pollution of waters	7
L2 Waste	7
L3 Potentially offensive odour	7
<b>3 OPERATING CONDITIONS</b>	7
O1 Activities must be carried out in a competent manner	7
O2 Maintenance of plant and equipment	8
O3 Emergency response	8
O4 Processes and management	8
O5 Waste management	8
O6 Other operating conditions	9
<b>4 MONITORING AND RECORDING CONDITIONS</b>	10
M1 Monitoring records	10
M2 Recording of pollution complaints	11
M3 Telephone complaints line	11
<b>5 REPORTING CONDITIONS</b>	11
R1 Annual return documents	11
R2 Notification of environmental harm	12
R3 Written report	13
<b>6 GENERAL CONDITIONS</b>	13
G1 Copy of licence kept at the premises or plant	13

# Environment Protection Licence

Licence - 10870



<b>DICTIONARY</b>	-----	14
General Dictionary	-----	14

# Environment Protection Licence

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Licence - 10870



## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

# Environment Protection Licence



Licence - 10870

The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

**Transfer of licence**

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

**Public register and access to monitoring data**

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

**This licence is issued to:**

J.J. RICHARDS & SONS PTY LTD
PO BOX 235
CLEVELAND QLD 4163

subject to the conditions which follow.

# Environment Protection Licence

Licence - 10870



## 1 Administrative Conditions

### A1 What the licence authorises and regulates

- A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Waste Processing (non-thermal treatment)	Non-thermal treatment of hazardous and other waste	> 0 T treated
Waste Storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	> 0 T stored

### A2 Premises or plant to which this licence applies

- A2.1 The licence applies to the following premises:

Premises Details
J.J. RICHARDS & SONS PTY LTD
UNITS 23-24/20 TUCKS ROAD
SEVEN HILLS
NSW 2147
LOT 3 DP 703826

### A3 Information supplied to the EPA

- A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

## 2 Limit Conditions

# Environment Protection Licence

Licence - 10870



## L1 Pollution of waters

- L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

## L2 Waste

- L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
B100	Acidic solutions or acids in solid form		Waste storage	Only be used for pH adjustment in the grease trap waste treatment process
C100	Basic solutions or bases in solid form		Waste storage	Only be used for pH adjustment in the grease trap waste treatment process
K110	Grease trap waste	As defined in the Schedule 1 of the POEO Act, in force from time to time	Waste storage Waste processing (non-thermal treatment)	NA

## L3 Potentially offensive odour

- L3.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

## 3 Operating Conditions

### O1 Activities must be carried out in a competent manner

# Environment Protection Licence

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Licence - 10870



O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

## O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

## O3 Emergency response

O3.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.

## O4 Processes and management

O4.1 The licensee must ensure that waste identified for recycling is stored separately from other waste.

## O5 Waste management

O5.1 The licensee must ensure that any liquid and/or non liquid waste for processing, storage, resource recovery or disposal at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.

O5.2 The licensee must ensure that suitable measures (e.g. high/low alarms, control valves with interlock control, one way valves) are installed on all tanks, ponds or clarifiers and associated pipes and hoses to prevent the spillage of waste.

O5.3 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.

O5.4 The licensee must ensure that all liquid materials including chemicals, fuels, oils, and waste materials are stored in a designated impervious bund that contains 110% of the largest container contained within the bund.

O5.5 The bunded area (floor and walls) must be impervious to the liquid(s) in the containers. The bund wall must not contain drain valves.

# Environment Protection Licence

Licence - 10870



- O5.6 The licensee must ensure that all waste materials covered under this licence, including empty containers are handled and stored only within the building and within bunded area.

## O6 Other operating conditions

- O6.1 The licensee must ensure that a record is maintained regarding all material(s) received at and/or transported from the facility, and if requested must be produced to an authorised officer of the EPA. This record must detail at least the following:

- a) the registration number of all vehicles transporting material(s) to and/or from the facility;
- b) the amount (tonnages) of material(s) received at and/or transported from the facility; and
- c) the date(s) of receipt and/or transportation of such material(s).

- O6.2 Entry to the premises must not be permitted for the following:

- a) any vehicle carrying non-approved waste(s); and
- b) any unauthorised person.

In the event of waste(s) being unlawfully deposited, such waste(s) must be removed forthwith, or in accordance with any direction given by the EPA.

- O6.3 The licensee must comply with any written direction given by the EPA for the acceptance of any class or description of waste(s) for treatment, storage or disposal.

- O6.4 All waste(s) transported from the facility must be disposed of at an EPA approved premises.

- O6.5 Any sludge(s), which is, dry enough to be spadeable and are intended for disposal must:

- a) not contain material(s) to concentrations prescribed by the "Scheduled Chemical Wastes Chemical Control Order 1994";
- b) pass the prescribed leaching procedure;
- c) have no free liquid;
- d) have a free standing slope flatter than 1 on 2; and
- e) be treated to minimise odour.

- O6.6 Accumulation of waste(s) on the floor of the plant must not occur. Any event, which causes or is likely to cause this to occur, must be rectified as soon as practicable. Any spillage(s) of waste(s) must be cleaned as soon as possible. Receiving of waste(s) must cease until the plant can operate as approved.

- O6.7 The facility floor must be washed intermittently, as required, using environmentally acceptable odour neutralising agent(s) to effectively neutralise the odour build up in the concrete and associated equipment.

# Environment Protection Licence

Licence - 10870



- O6.8 Those tankers carrying wastes after unloading of their wastes must not be allowed to be parked either on the premises or on the roads adjoining the premises.
- O6.9 Any tanker involved in carrying wastes for other facilities or operations (especially carrying putrescible wastes), will not be permitted to carry waste to and from this facility.
- O6.10 The facility must, at all times, be operated in accordance with the requirements of the EPA. No alteration or modification in approved design or method of operation, which is likely to cause or increase air, noise or water pollution from the facility, must be made without approval in writing from the EPA.
- O6.11 At all times when the facility is open, a person who is responsible for control of the facility must be in attendance and their duties must include:
- a) control of all employees working in or on the premises;
  - b) supervision of any person entering the premises; and
  - c) ensure compliance with the conditions of this licence.
- O6.12 The licensee must provide a financial assurance amounting to \$11, 500.00 (Eleven thousand and five hundred dollars) only, in favour of the EPA, that must be maintained during the rest of the operation period of the facility and thereafter until such time as the EPA is satisfied that the premises are environmentally secure.

This assurance must be replenished to the full amount should the EPA have any reason to call up the financial assurance, or any part thereof, to correct environmental problems which have not been remedied by the occupier upon being given a notice to do so.

Failure to maintain the assurance at the full amount will result in suspension of this licence.

## 4 Monitoring and Recording Conditions

### M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- a) the date(s) on which the sample was taken;
  - b) the time(s) at which the sample was collected;
  - c) the point at which the sample was taken; and
  - d) the name of the person who collected the sample.

# Environment Protection Licence

Licence - 10870



## M2 Recording of pollution complaints

- M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M2.2 The record must include details of the following:
- a) the date and time of the complaint;
  - b) the method by which the complaint was made;
  - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the licensee, the reasons why no action was taken.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M3 Telephone complaints line

- M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M3.3 The preceding two conditions do not apply until 3 months after:
- a) the date of the issue of this licence or
  - b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

## 5 Reporting Conditions

### R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- a) a Statement of Compliance; and
  - b) a Monitoring and Complaints Summary.
- At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

# Environment Protection Licence

Licence - 10870



- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- a) the licence holder; or
  - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.
- R1.8 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

## R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

# Environment Protection Licence

Licence - 10870



## **R3 Written report**

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
  - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
  - b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
  - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## **6 General Conditions**

### **G1 Copy of licence kept at the premises or plant**

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

# Environment Protection Licence

Licence - 10870



## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

# Environment Protection Licence

Licence - 10870



<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

# Environment Protection Licence

Licence - 10870



TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Greg Sheehy

Environment Protection Authority

(By Delegation)

Date of this edition: 23-June-2000

# Environment Protection Licence

Licence - 10870



## End Notes

- 1 Licence varied by notice 1003000, issued on 06-Feb-2001, which came into effect on 06-Feb-2001.
- 2 Licence transferred through application 141137, approved on 17-Apr-2002, which came into effect on 17-Apr-2002.
- 3 Licence transferred through application 141600, approved on 02-Dec-2002, which came into effect on 01-Dec-2002.
- 4 Licence varied by notice 1035361, issued on 27-May-2004, which came into effect on 21-Jun-2004.
- 5 Licence varied by notice 1069657, issued on 09-Feb-2007, which came into effect on 09-Feb-2007.
- 6 Licence transferred through application 145511, approved on 28-May-2008, which came into effect on 01-Mar-2008.
- 7 Licence varied by notice 1096859, issued on 02-Mar-2009, which came into effect on 02-Mar-2009.
- 8 Licence varied by notice 1109838, issued on 01-Feb-2010, which came into effect on 01-Feb-2010.
- 9 Licence transferred through application 146184, approved on 04-Jun-2010, which came into effect on 04-Jun-2010.
- 10 Licence varied by Correction to EPA Region data record., issued on 25-Jun-2010, which came into effect on 25-Jun-2010.
- 11 Licence varied by notice 1518419 issued on 25-Mar-2014

# Consent to Discharge Industrial Trade Wastewater

SYDNEY WATER CORPORATION

and

J.J. RICHARDS & SONS PTY LTD

A.C.N. 000 805 425

ACTIVITY: GREASE TRAP WASTE DISPOSAL (GE02)

RISK INDEX: 05

CONSENT NO: 28239

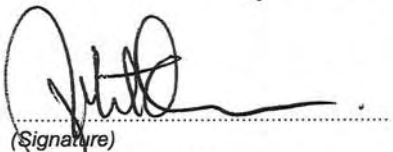
CONNECTION NO: 3

PROPERTY NUMBER: 4303035

This **CONSENT** is made on  
Executed for and on behalf of  
Sydney Water Corporation

By

day: 30th month: July year: 2013

  
(Signature)

Patrick O'Brien  
Manager Business Customer Delivery

In the presence of:

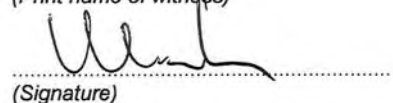
Witness

  
(Signature)

John Bean  
(Print name of witness)

Executed for and on behalf of  
the Customer:

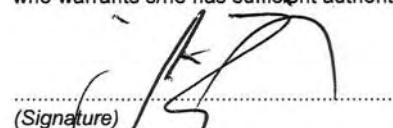
By

  
(Signature)

Mick Nicholson - General Manager  
(Print name and position of person signing)  
who warrants s/he has sufficient authority to execute this consent.

In the presence of:

Witness

  
(Signature)

JOHN ZMIJEWSKI  
(Print name of witness)

This consent must be executed by the Customer prior to execution by Sydney Water and submitted by the Customer to Sydney Water for its consideration. Submission of a consent executed by the Customer under no circumstances obliges Sydney Water to enter into or complete the consent. Submission of an executed consent by the Customer constitutes an application for a consent which Sydney Water may in its reasonable discretion reject, or with the consent of the Customer modify any of the proposed terms thereto.

**SCHEDULE 1**  
(SUBJECT TO PUBLIC DISCLOSURE)

**TRADE WASTEWATER WHICH MAY BE DISCHARGED**

**1. Trade wastewater substances**

- (a) The Customer may discharge trade wastewater into the Sewer in a manner whereby the substance characteristics of the trade wastewater are of a type and discharged at a rate, level or concentration equal to or less than that described in this schedule.
- (b) The Customer must not discharge trade wastewater into the Sewer in a manner whereby the trade wastewater discharged;
- (i) contains, possesses or produces a substance characteristic not provided in, or which may be determined as being contrary to that described in this schedule.
- (ii) is at or of a rate, level, or concentration not provided in, or which may be determined as being contrary to, that described in this schedule.

<b>SUBSTANCE</b>	<b>LTADM (kg/day)</b>	<b>MDM (kg/day)</b>	<b>Standard (mg/L)</b>
AMMONIA (AS N)	5.00000	7.00000	100.000
BIOCHEMICAL OXYGEN DEMAND	300.00000	700.00000	
SUSPENDED SOLIDS	10.00000	15.00000	600.000
GREASE	3.00000	5.00000	110.000
IRON	2.50000	3.75000	50.000
ZINC	0.10000	0.15000	5.000

**RECONCILIATION PROCEDURES:**

**LONG TERM AVERAGE DAILY MASS:**

The Long Term Average Daily Mass is a twelve month arithmetic average of ALL daily mass discharges as calculated for each composite sample. The Daily Mass discharged is to be calculated for each of the above substances, and checked against the above Long Term Average Daily Mass (kg/day) on the basis of average concentrations of substances discharged (mg/L) over any 24 hour period as determined from composite samples, obtained by either the Customer (in accordance with Schedule 2) or Sydney Water, or a combination of sample results by both.

This average concentration (mg/L) is to be multiplied by the total discharge (kL) as recorded by the Customer's discharge flow meter over the 24 hour period in order to calculate the Daily Mass of substances discharged (kg). Exceeding the Long Term Average Daily Mass does not constitute a Breach.

**ACCEPTANCE STANDARD:**

The Composite Sample Concentration is to be determined for each of the above substances, and checked against the above Acceptance Standard (mg/L) for each sample obtained. Exceeding the Acceptance Standard constitutes a Breach and will also incur an increased Quality Charge as detailed in Schedule 3.

The Discrete Sample Concentration is to be determined for each of the substances identified at Schedule 2, 2 (b) and checked against the above Acceptance Standard (mg/L) for each sample obtained. Exceeding the Acceptance Standard constitutes a Breach.

## MAXIMUM DAILY MASS:

The Daily Mass discharged is to be calculated for each of the above substances, and checked against the above Maximum Daily Mass (kg/day) on the basis of average concentrations of substances discharged (mg/L) over any 24 hour period as determined from composite samples, obtained by either the Customer (in accordance with Schedule 2) or Sydney Water, or a combination of sample results by both.

This average concentration (mg/L) is to be multiplied by the total discharge (kL) as recorded by the Customer's discharge flow meter over the 24hour period in order to calculate the Daily Mass of substances discharged (kg). Exceeding the Maximum Daily Mass constitutes a Breach.

## 2. The trade wastewater discharged must at all times have the following properties:

- |                                  |   |
|----------------------------------|---|
| Temperature                      | - Not to exceed 38 degrees Celsius.   |
| Colour                           | - Determined on a system specific basis   |
| pH                               | - Within the range 7.0 to 10.0.   |
| Fibrous material                 | - None which could cause an obstruction to Sydney Water's sewerage system.  |
| Gross solids (other than faecal) | - A maximum linear dimension of less than 20 mm, a maximum cross section dimension of 6 mm, and a quiescent settling velocity of less than 3 m/h.   |
| Flammability                     | - Where flammable and/or explosive substances may be present, the Customer must demonstrate to the satisfaction of Sydney Water that there is no possibility of explosions or fires occurring in the sewerage system. The flammability of the discharge must never exceed 5% of the Lower Explosive Limit (LEL) at 25° Celsius. |

## 3. Rate of discharge of waste to sewer:

- (a) Instantaneous maximum rate of gravitated discharge 2.00 litres per second
- (b) Maximum daily discharge 150.0 kilolitres
- (c) Average daily discharge 100.0 kilolitres

## RECONCILIATION PROCEDURE:

The data obtained from applying these procedures is to be checked by the interface of a chart recorder to the Customer's flow metering equipment, or by the installation of flow metering equipment by Sydney Water, for a minimum of 7 days.

**SCHEDULE 2**  
(SUBJECT TO PUBLIC DISCLOSURE)

**SAMPLING, ANALYSIS, FLOW RATES AND VOLUME DETERMINATION**

1. The Customer must provide and make available for the purpose of sampling and analysis;
  - (a) Sampling point located at pretreatment discharge excluding domestic sewage prior to the point of connection to the Sewer.
  - (b) Equipment necessary to allow collection of composite automatic samples on either a flow proportional or a time basis.
2. The Customer is to undertake collection and analysis of samples in accordance with the schedule detailed below:
  - (a) Composite samples are to be obtained:
    - (i) over one full production day by combining equal volumes taken at 5 kilolitre intervals. The volumes are to be such that at least 5,000 millilitres are obtained over the full day. The reading of the Flowmeter meter is to be obtained at the commencement and conclusion of the sampling day.
    - (ii) on 17 October 2013 and every 22 days thereafter. If trade wastewater is not discharged on this day, then the sample is to be taken on the next day that trade wastewater is discharged. Trade wastewater includes all non-domestic wastewater discharged to sewer from the premises, including cleaning waste.
  - (b) Discrete samples are to be obtained as detailed below, and analysed according to the procedures and methods specified in Sydney Water's published analytical methods, to determine the concentrations or levels of the following substance characteristics:

pH

at the start and finish of each sample day

- (c) Composite samples are to be analysed according to the procedures and methods specified in Sydney Water's published analytical methods, or methods otherwise agreed to and detailed hereunder, to determine the concentrations or levels of the following substance characteristics

AMMONIA (AS N)  
BIOCHEMICAL OXYGEN DEMAND  
SUSPENDED SOLIDS  
GREASE  
IRON  
ZINC

- (d) The Customer, or the laboratory contracted by the customer, is to submit results of analyses to Sydney Water within 21 days from the date the sample was taken. All analysis results are to be submitted on the sample analysis report provided as appendices 1 and 2 to this Consent OR in such format as may be specified from time to time by Sydney Water.
      - (e) All data requested on the sample analysis report must be provided.
      - (f) Sydney Water must be notified in writing within 7 days of;
        - (i) any failure to obtain samples in accordance with the provisions of Schedule 2; or
        - (ii) any loss of any analytical data.

Where data is unavailable, lost or not provided, the Quality Charge, as detailed in Schedule 3, will be assessed on the basis of the highest Composite Sample concentration recorded in the 12 months prior to the date of the missing sample data.

3. The volume of wastewater discharged must be obtained from the reading of the total flow on the Customer's flowmetering system.

The rate of waste discharged is to be obtained by the reading of the instantaneous flow rate indicator on the Customer's flowmetering system, or from any chart recorder interfaced to the Customer's flowmetering

system.

The flowmetering system is to be calibrated at least annually at the Customer's expense, by a person or company approved by Sydney Water and a copy of the calibration certificate supplied to Sydney Water within one month of such certificate being received by the Customer.

If the Customer's flowmetering system fails to record data for any period, Sydney Water is to be advised in writing by the Customer within 7 days of any such failure becoming known by the Customer. An estimate of any data not recorded is to be made as follows:

Average of the waste discharged, registered for the four weeks before and/or after the failure to record.

### SCHEDULE 3

(SUBJECT TO PUBLIC DISCLOSURE)

#### PAYMENTS

The charges are effective from 1 October 2013 and will continue until otherwise advised by Sydney Water.

All trade waste fees and charges are subject to CPI adjustments from 1 July each year in accordance with Determination No 1, 2012 made by the Independent Pricing and Regulatory Tribunal (IPART).

#### 1. CHARGES FOR TRADE WASTEWATER DISCHARGE

Sydney Water will conduct a reading of the Customer's discharge meter at approximately 90 day intervals. The volume of trade wastewater discharged for the period since the previous reading will be calculated.

Charges are based on the Daily Mass calculated from composite samples and corresponding meter readings for each sampling day in the billing period, and calculated in accord with (c), (d), (e), and (f) below. The charge for each sampling day is then multiplied by a flow weighting factor to give a flow weighted charge. The total charge for each substance for the billing period is equal to the sum of the flow weighted charges for the billing period.

Total Charge = the sum of the flow weighted charges for the billing period

Flow Weighted Charge = (charge for all sample days) x (flow weighting factor) and:

$$\text{Flow Weighting Factor} = \frac{(\text{total volume discharged during billing period})}{(\text{sum of volumes discharged during all sample days during billing period})}$$

In this formula volume discharged refers to the volume of trade wastewater discharged.

##### (a) Mass Discharged:

For each substance, the Mass Discharged is calculated by multiplying the Composite Sample concentration by the Trade Wastewater discharge for that sample day.

##### (b) Chargeable Tradewaste Mass:

(i) For the following substances, the Chargeable Tradewaste Mass is equal to the Mass Discharged:

##### SUBSTANCE

IRON

ZINC

(ii) For the following substances, the Chargeable Tradewaste Mass is calculated by subtracting the Equivalent Domestic Mass from the Mass Discharged. The Equivalent Domestic Mass is defined as the Domestic Concentration multiplied by the Trade Wastewater discharge.

##### SUBSTANCE

##### DOMESTIC CONCENTRATION

mg/L

AMMONIA (AS N)

35.000

BIOCHEMICAL OXYGEN DEMAND

230.000

SUSPENDED SOLIDS

200.000

GREASE

50.000

If the resulting Chargeable Tradewaste Mass is zero or negative, then no Quality charges will apply for that substance for that sample day.

**(c) Quality Charge:**

- (i) For the following substances, the Quality Charge is determined by multiplying the Chargeable Tradewaste Mass by the Rate for that substance:

<b>SUBSTANCE</b>	<b>STANDARD MASS CHARGING RATE \$ per kg</b>
AMMONIA (AS N)	0.0000
SUSPENDED SOLIDS	0.4730
GREASE	0.4270
IRON	0.0000
ZINC	0.0000

- (ii) For the following substances, the Quality Charge is determined by multiplying the Chargeable Tradewaste Mass by the Rate, where the Rate is a function of the composite sample concentration recorded for that sample day.

<b>SUBSTANCE</b>	<b>STANDARD MASS CHARGING RATE \$ per kg</b>
BIOCHEMICAL OXYGEN DEMAND	$[[0.20900] + \{[0.07200] \times (\text{BOD} / 600.000)\}]$

**(d) Concentration Breach Charge:**

Where the Composite Sample concentration is greater than the Acceptance Standards specified in Schedule 1 (with the exception of sulphate), any charges calculated in (c) above will be doubled for that sampling day.

**(e) Failure to collect required samples:**

Where the Customer fails to collect and analyse samples in accord with this consent the above charges will be assessed on the basis of the highest composite concentrations recorded for any billing period within the previous 12 months and the average daily discharge for the current billing period.

**(f) pH and Temperature charges:**

Sydney Water regularly assesses its wastewater networks to determine if a system is affected by accelerated odour and corrosion. Where Sydney Water declares a wastewater system to be affected by accelerated odour and corrosion, the temperature and pH charge will only apply if the customer is not committed to or not complying with an effluent improvement program.

**2. CHARGES FOR INSPECTIONS**

- (a) If, in the opinion of Sydney Water, it is necessary for a Customer Service Representative to exercise rights under clause 6.1, the Customer will incur no liability for payment for any such exercise unless Customer Service Representative has already exercised rights under clause 6.1 on 5 occasions within a period of one year.
- (b) If it is necessary, in the opinion of Sydney Water, to carry out more than 5 occasions within a period of one year, the additional inspections will be charged at the current inspection rate.
- (c) Any inspection required following up an alleged breach or a default notice will result in a fee payable even if the number of inspections nominated in paragraph 2 (a) has not been exceeded.
- (d) For the purposes of 2 (a) and 2 (b), above, one year is defined as the period from 1 July to 30 June the following year.

**3. CHARGES FOR ADMINISTRATION OF TRADEWASTE CONSENT**

A consent fee of \$575.17 per quarter is payable from 1 October 2013.

**4. CHARGES FOR VARIATION OR RENEWAL OF TRADEWASTE CONSENT**

Where a Variation is made to the Consent a fee of \$522.03 will be payable. There will be no charge for renewal.

**5. CHARGES FOR GREASE TRAPS**

Wastesafe administration charge \$96.00 per pit per year.

**6. PAYMENT OF FEES AND CHARGES**

An account will be issued for all fees and charges. Any fees or charges payable by the Customer must be paid by the Customer within 30 days of the receipt by the Customer of the account detailing those fees and charges.



**SCHEDULE 4**  
**ADDITIONAL REQUIREMENTS**

**1. EFFLUENT IMPROVEMENT PROGRAM**

N/A

**2. WASTE MANAGEMENT PLAN**

The existing pretreatment will result in the generation of 1040.0 tonne per annum of waste substances in the form of a sludge containing generally liquid. The waste substances are, and will continue to be disposed of, in compliance with the requirements of The Environment Protection Authority.

**3. OTHER REQUIREMENTS**

**Backflow Prevention Containment Policy:**

1. Backflow Containment Device must be installed and maintained at the water meter outlet/property boundary in line with Sydney Water's Backflow Policy.
2. Backflow individual/zone protection is required on any tap located within 5m of the trade waste apparatus.

Patrick O'Beirne Manager Business Customer Delivery North West Business Customer Services Position No. 0027004 Delegation \$100,000
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**SCHEDULE 5**  
**APPARATUS, PLANT AND EQUIPMENT**

**EXISTING:** 2 x 30,000 litre Effluent Receival Tanks  
30,000 litre Lime Sludge Tank  
30,000 litre Effluent Tank  
25,000 litre Mixing Tank  
22,000 litre Sludge Tank  
1,000 litre Polymer Tank  
Davey Power ACE 200 Pump  
Magmaster Electromagnetic Flowmeter  
pH Correction system  
10,000 litre/hour DAF

**PROPOSED:** N/A

**SCHEDULE 6**  
**SPECIAL CONDITIONS**

**1. DANGEROUS DISCHARGES**

In this Schedule, the term "may pose a danger to the environment, the Sewer or workers at a sewage treatment plant";

- (a) means an occurrence whereby matter is discharged to the Sewer which either alone or in conjunction with other matter discharged cannot be adequately treated or may cause corrosion or a blockage, explosion or the production of dangerous gases in the Sewer or may adversely affect the operation of a sewer or sewage treatment plant; and
- (b) includes, but not so as to restrict the generality of paragraph (a), matter or substances, which is or are
  - (i) toxic or corrosive;
  - (ii) petroleum hydrocarbons;
  - (iii) heavy metals;
  - (iv) volatile solvents;
  - (v) phenolic compounds;
  - (vi) organic compounds.

**2. UNINTENDED DISCHARGES**

- (a) For purposes of avoiding unintended discharges to the Sewer or the stormwater drainage system, all matter and substances on the Premises must be processed, handled, moved and stored in a proper and efficient manner.
- (b) Any substance on the Premises which, if discharged to the Sewer, may pose a danger to the environment, the Sewer or workers at a sewage treatment plant or may harm any sewage treatment process must be handled, moved and stored in areas where leaks, spillages or overflows cannot drain by gravity or by automated or other mechanical means to the Sewer or the stormwater drainage system.

**3. NOTIFICATION**

In the event of a discharge of matter to the sewer that poses or may pose a danger to the environment, the Sewer or workers at a sewage treatment plant the Customer must immediately notify:

(a) NORTH HEAD STP CONTROL ROOM      TEL: (02) 9934 4423      FAX: (02) 9934 4464

(b) **BUSINESS CUSTOMER SERVICES** (8AM TO 5PM MON TO FRI) TEL: (02) 9616 2485

**BUSINESS CUSTOMER SERVICES EMERGENCY CONTACT (24 HOURS) TEL: (02) 8849 5029**

**4. PROVISION OF SAFE ACCESS**

The Customer shall provide safe access to Sydney Water employees visiting the site. In the event that unsafe conditions are identified the Customer must take reasonable steps to correct unsafe conditions and create safe access.

**5. ELECTRONIC REPORTING OF SAMPLE ANALYSIS RESULTS**

Sydney Water reserves the right to vary this consent to specify the option of reporting by electronic mail as outlined in Schedule 2, 2 (d).

## **SCHEDULE 7**

- 1. Premises for which Consent is granted**  
**20 TUCKS RD, SEVEN HILLS NSW 2147**
- 2. Industrial or other commercial activities for which Consent granted**  
**GREASE TRAP WASTE DISPOSAL (GE02)**
- 3. Discharge point for which Consent granted**  
**BOUNDARY TRAP**
- 4. The date for purposes of clause 3.1 is 1 October 2013**
- 5. The period for purposes of clause 3.2 is 24 months.**
- 6. The receiving Treatment Plant is NORTH HEAD Sewage Treatment Plant**

**SCHEDULE 8**  
**NOTICES AND COMMUNICATION ADDRESSES**

<b>SYDNEY WATER:</b>	MANAGER BUSINESS CUSTOMER DELIVERY PO Box 399 PARRAMATTA 2150	TEL: (02) 9616 2485 A.H: (02) 8849 5029
<b>CUSTOMER:</b>	MICK NICHOLSON OPERATIONS MANAGER J.J. RICHARDS & SONS PTY LTD PO BOX 420 DOONSIDE NSW 2767	TEL: (02)9625 1319 FAX: (02)9625 1311

**SCHEDULE 9**  
**AUTHORISED OFFICERS**

<b>SYDNEY WATER:</b>	MANAGER BUSINESS CUSTOMER DELIVERY PO Box 399 PARRAMATTA 2150	TEL: (02) 9616 2485 A.H: (02) 8849 5029
Email:	businesscustomers@sydneywater.com.au	
<b>CUSTOMER:</b>	MICK NICHOLSON OPERATIONS MANAGER J.J. RICHARDS & SONS PTY LTD PO BOX 420 DOONSIDE NSW 2767	TEL: (02)9625 1319 FAX: (02)9625 1311
Email:	N/A	

**SCHEDULE 10**  
**NOMINATED REPRESENTATIVES**

<b>SYDNEY WATER:</b>	MANAGER BUSINESS CUSTOMER DELIVERY PO Box 399 PARRAMATTA 2150	TEL: (02) 9616 2485 A.H: (02) 8849 5029
<b>CUSTOMER:</b>	MICK NICHOLSON OPERATIONS MANAGER J.J. RICHARDS & SONS PTY LTD PO BOX 420 DOONSIDE NSW 2767	TEL: (02)9625 1319 FAX: (02)9625 1311

**APPENDIX 1 (Example)**  
**SAMPLE ANALYSIS REPORT (COMPOSITE) DISCHARGE METER**

Consent Number: 28239	
Company Name: J.J. RICHARDS & SONS PTY LTD, J.J. RICHARDS & SONS PTY LTD	
Company Address: 20 TUCKS RD, SEVEN HILLS NSW 2147	
Sample Type: <input type="checkbox"/> 6 (composite, manual time based)      Start date: ____/____/____ <input type="checkbox"/> 7 (composite, manual flow proportional)      Finish date: ____/____/____ <input type="checkbox"/> 8 (composite, automatic time based)      Start time: ____:____ am/pm <input type="checkbox"/> 9 (composite, automatic flow proportional)      Finish time: ____:____ am/pm	
grabs taken in sample period: _____ sample intervals min/kL _____ mL per grab: _____	Initial meter reading: _____ kL Final Meter reading: _____ kL Volume discharged: _____ kL

Laboratory:		
Substance	Acceptance Standard (mg/L)	Measured Concentration(mg/L)
AMMONIA (AS N)	100.000	
BIOCHEMICAL OXYGEN DEMAND		
SUSPENDED SOLIDS	600.000	
GREASE	110.000	
IRON	50.000	
ZINC	5.000	

**COPY OF ORIGINAL ANALYTICAL LABORATORY REPORT TO BE ATTACHED**  
**NOTE: LABORATORY REPORT MUST CERTIFY NATA REGISTRATION FOR EACH ANALYSIS**  
 Comments: \_\_\_\_\_

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Designation: \_\_\_\_\_

<b>OFFICE USE ONLY</b>	
TERRITORY: S4	
Sample No:	<div style="display: flex; border: 1px solid black; width: 100px; height: 20px; margin: 2px;"> <div style="flex: 1; border-right: 1px solid black; height: 18px;"></div> <div style="flex: 1; border-right: 1px solid black; height: 18px;"></div> <div style="flex: 1; border-right: 1px solid black; height: 18px;"></div> <div style="flex: 1; border-right: 1px solid black; height: 18px;"></div> <div style="flex: 1; height: 18px;"></div> </div>

EMAIL TO:  
 businesscustomers.labdata@sydneywater.com.au

**APPENDIX 2**  
**SAMPLE ANALYSIS REPORT (DISCRETE SAMPLE)**

Consent Number:	28239
Company Name:	J.J. RICHARDS & SONS PTY LTD, J.J. RICHARDS & SONS PTY LTD
Company Address:	20 TUCKS RD, SEVEN HILLS NSW 2147

Sample Type: DISCRETE
Date
Time

Laboratory:
-------------

Substance	Acceptance Standard (units or mg/L)	Measured Units or Concentration.
pH at start	7 - 10	
pH at finish	7 - 10	

**COPY OF ORIGINAL ANALYTICAL LABORATORY REPORT TO BE ATTACHED**  
**NOTE: LABORATORY REPORT MUST CERTIFY NATA REGISTRATION FOR EACH ANALYSIS**  
Comments: \_\_\_\_\_

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Designation: \_\_\_\_\_

<b>OFFICE USE ONLY</b>
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TERRITORY: S4

Sample No: 

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EMAIL TO:  
businesscustomers.labdata@sydneywater.com.au



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

## **The treated grease trap waste exemption 2014**

### **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 treated grease trap waste from certain requirements under the *Protection of the Environment Operations Act 1997* (POEO Act) and the Waste Regulation in relation to the application of that waste to land, provided the consumer complies with the conditions of this exemption.

This exemption should be read in conjunction with 'the treated grease trap waste order 2014'.

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

- 1.1. This exemption applies to treated grease trap waste that is, or is intended to be, applied to land as a soil amendment.
- 1.2. Treated grease trap waste means grease trap waste that has undergone treatment according to the following:
  - screening to remove physical contaminants;
  - leaving the grease trap waste to settle by operation of gravity for at least 4 hours, so that the floating fats and oils, the aqueous liquid waste and the settleable portions of the grease trap waste separate; and
  - the floating layer must either be removed or be incorporated into the bottom settled layer following saponification by the addition of lime.

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

- 2.1. This exemption applies to any person who applies, or intends to apply, treated grease trap waste to land as set out in 1.1.

### **3. Duration**

- 3.1. This exemption commences on 24 November 2014 and is valid until revoked by the EPA by notice published in the Government Gazette.

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

- 4.1. This exemption applies to the premises at which the consumer's actual or intended application to land of treated grease trap waste is carried out.

### **5. Revocation**

- 5.1. 'The treated grease trap waste exemption 2008' which commenced on 20 June 2008 is revoked from 24 November 2014.

### **6. Exemption**

- 6.1. 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 application of treated grease trap waste to land as a soil amendment at the premises:
- section 48 of the POEO Act in respect of the scheduled activities described in clauses 39 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.
- 6.2. The exemption does not apply in circumstances where treated grease trap waste 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 39 'waste disposal (application to land)' or clause 40 'waste disposal (thermal treatment)' of Schedule 1 of the POEO Act.

### **7. Conditions of exemption**

The exemption is subject to the following conditions:

- 7.1. At the time the treated grease trap waste is received at the premises, the material must meet all chemical and other material requirements for treated grease trap waste which are required on or before the supply of treated grease trap waste under 'the treated grease trap waste order 2014'.
- 7.2. The treated grease trap waste can only be applied to land as a soil amendment.
- 7.3. Where the oil and grease content of the treated grease trap waste is 50% or greater the consumer must ensure that the application rate does not exceed 100 t/ha (wet weight) at any location. Where the oil and grease content of the treated grease trap waste is measured at less than the values listed in Column 1 of Table 1 the consumer may apply the material at a rate up to the corresponding rate in Column 2 of Table 1.

**Table 1**

Column 1	Column 2
Oil and grease content (%)	Maximum application rate (wet t/ha )
<50	120
<40	150
<30	200
<20	300
<10	600

- 7.4. The consumer must ensure that at the time of application the treated grease trap waste is injected into the soil at a depth of between 10cm and 30cm below the soil surface.
- 7.5. The consumer must ensure that the treated grease trap waste does not flow across the surface of the land.
- 7.6. The consumer must ensure that treated grease trap waste is not applied to land in areas where the site characteristics specified in Column 1 of Table 2 do not comply with the requirements listed in Column 2 of Table 2.

**Table 2**

Column 1	Column 2
Site Characteristic	Requirement
Slope	< 10%
Drainage	No application of wastes permitted in: - Waterlogged soil; and/or - Slow or highly permeable soil
Depth to bedrock	> 60 cm
Surface rock outcrop	< 10%

- 7.7. The consumer must ensure that treated grease trap waste is not applied to land within the buffer zones for protected areas specified in Table 3.

**Table 3**

Column 1	Column 2	Column 3	Column 4
Protected Area	Minimum width of Buffer Zones (m)		
	Flat (< 3% or 2° slope)	Downslope (> 3% or 2° slope)	Upslope
Surface waters	50	100	5
Farm dams	20	30	5
Drinking water bores	250	250	250
Other bores	50	50	50
Farm driveways and fence lines	5	5	5
Native forests and other significant vegetation types	10	10	5
Animal enclosures	25	50	25
Occupied dwelling	50	100	50

Residential zone	250	500	250
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- 7.8. The consumer must ensure that livestock are withheld from all land which has had treated grease trap waste applied for a period of 30 days following application.
- 7.9. The consumer must keep a written record of the following for a period of six years:
- the quantity of any treated grease trap waste received; and
  - the name and address of the supplier of the treated grease trap waste received.
- 7.10. The consumer must make any records required to be kept under this exemption available to authorised officers of the EPA on request.
- 7.11. The consumer must ensure that any application of treated grease trap waste to land must occur within a reasonable period of time after its receipt.

## 8. Definitions

In this exemption:

**application or apply to land** means applying to land by:

- spraying, spreading or depositing on the land; or
- ploughing, injecting or mixing into the land; or
- filling, raising, reclaiming or contouring the land.

**consumer** means a person who applies, or intends to apply, treated grease trap waste to land.

**grease trap waste** means any grease, oils, solids, water or other matter resulting only from the preparation or manufacturing of food that is collected in a grease trap in the usual course of the operation of the grease trap. This definition includes dissolved air flotation (DAF) units used to treat grease trap waste, but does not include grease trap waste collected from grease traps in hospitals and shopping centres other than those solely from the preparation of food.

**processor** means a person who processes, mixes, blends, or otherwise incorporates treated grease trap waste into a material in its final form for supply to a consumer.

**Manager Waste Strategy and Innovation**  
**Environment Protection Authority**  
**(by delegation)**

## 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 current version of this exemption will be available on [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

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 should assess whether or not the treated grease trap waste 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 application of the substance to land 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 treated grease trap waste 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, including for example, the need to prepare a Safety Data Sheet (SDS).

Failure to comply with the conditions of this exemption constitutes an offence under clause 91 of the Waste Regulation.



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

## **The treated grease trap waste order 2014**

### **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 of treated grease trap waste to which 'the treated grease trap waste exemption 2014' applies. The requirements in this order apply in relation to the supply of treated grease trap waste for application to land as a soil amendment.

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

- 1.1. This order applies to treated grease trap waste. In this order, treated grease trap waste means grease trap waste that has undergone treatment according to the following:
  - screening to remove physical contaminants;
  - leaving the grease trap waste to settle by operation of gravity for at least 4 hours, so that the floating fats and oils, the aqueous liquid waste and the settleable portions of the grease trap waste separate; and
  - the floating layer must either be removed or be incorporated into the bottom settled layer following saponification by the addition of lime.

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

- 2.1. The requirements in this order apply, as relevant, to any person who supplies treated grease trap waste that has been generated, processed or recovered by the person.
- 2.2. This order does not apply to the supply of treated grease trap waste to a consumer for land application 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 39 'waste disposal (application to land)' or clause 40 'waste disposal (thermal treatment)' of Schedule 1 of the POEO Act.

### **3. Duration**

- 3.1. This order commences on 24 November 2014 and is valid until revoked by the EPA by notice published in the Government Gazette.

## 4. Processor requirements

The EPA imposes the following requirements on any processor who supplies treated grease trap waste.

### Sampling requirements

- 4.1. On or before supplying treated grease trap waste, the processor must:
  - 4.1.1. Prepare a written sampling plan which includes a description of sample preparation and storage procedures for the treated grease trap waste.
  - 4.1.2. Undertake sampling and testing of the treated grease trap waste as required under clause 4.2 below.
- 4.2. The processor must undertake the following sampling:
  - 4.2.1. Routine sampling in accordance with Column 1 of Table 1 and testing each sample for the chemical and other attributes listed in Column 1 of Table 2. Each individual sample must be taken from a batch, truckload or stockpile that has not been previously sampled, or
  - 4.2.2. Where the volume of treated grease trap waste received at the premises is insufficient to satisfy the requirements of routine sampling, the processor may undertake one-off sampling of each truck of treated grease trap waste supplied under this order in accordance with Column 2 of Table 1. Each composite sample must be tested for the chemicals and other attributes listed in Column 1 of Table 2. The test results for each composite sample must be validated as compliant with the maximum average concentration or other value listed in Column 2 of Table 2 and the absolute maximum concentration or other value listed in Column 3 of Table 2 prior to the supply of treated grease trap waste.

**Table 1**

Column 1	Column 2
Routine sampling frequency	One-off sampling frequency
<ul style="list-style-type: none"><li>1 individual sample per day for 1 week (5 samples) to produce a composite sample. Repeat each week (i.e. equates to 4 composite samples per month), and</li><li>5 individual samples per month selected at random to produce a composite sample (i.e. 1 composite sample per month).</li></ul>	<ul style="list-style-type: none"><li>1 composite sample per truckload</li></ul>

### Chemical and other material requirements

- 4.3. The processor must not supply treated grease trap waste to any person if, in relation to any of the chemical and other attributes of the treated grease trap waste:
  - 4.3.1. The concentration or other value of that attribute of any sample collected and tested as part of the routine or one-off sampling of the treated grease trap waste exceeds the absolute maximum concentration or other value listed in Column 3 of Table 2, or

- 4.3.2. The average concentration or other value of that attribute from the routine sampling of the treated grease trap waste (based on the arithmetic mean) exceeds the maximum average concentration or other value listed in Column 2 of Table 2.
- 4.4. The absolute maximum concentration or other value of that attribute in any treated grease trap waste supplied under this order must not exceed the absolute maximum concentration or other value listed in Column 3 of Table 2.

**Table 2**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Chemicals and other attributes</b>	<b>Maximum average concentration for routine testing</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Absolute maximum concentration</b> (mg/kg 'dry weight' unless otherwise specified)
1. Mercury	0.5	1
2. Cadmium	0.5	1
3. Lead	50	100
4. Arsenic	10	20
5. Chromium (total)	50	100
6. Copper	150	250
7. Nickel	30	60
8. Selenium	2.5	5
9. Zinc	200	350
10. Boron	30	60
11. Electrical Conductivity <sup>1</sup>	NA	NA
12. pH <sup>1</sup>	NA	NA
13. Oil and grease <sup>1</sup>	NA	NA
14. Nitrogen (total) <sup>1</sup>	NA	NA
15. Moisture content <sup>1</sup>	NA	NA

1. Note that while limits are not included for electrical conductivity, pH, oil and grease, nitrogen, and moisture content, these must be tested in each sample and records kept of results.

## Test methods

- 4.5. The processor must ensure that any testing of samples required by this order is undertaken by analytical laboratories accredited by the National Association of Testing Authorities (NATA), or equivalent.
- 4.6. The processor must ensure that the chemicals and other attributes (listed in Column 1 of Table 2) in the treated grease trap waste it supplies are tested in accordance with the test methods specified below or other equivalent analytical methods. Where an equivalent analytical method is used the detection limit must be equal to or less than that nominated for the given method below.
- 4.6.1. Test method for measuring the mercury concentration:

- 4.6.1.1. Analysis using USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold vapour technique), or an equivalent analytical method with a detection limit < 20% of the stated maximum average concentration in Table 1, Column 2 (i.e. < 0.1 mg/kg dry weight).
- 4.6.1.2. Report as mg/kg dry weight.
- 4.6.2. Test methods for measuring chemicals 2 - 9:
  - 4.6.2.1. Sample preparation by digesting using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils.
  - 4.6.2.2. Analysis using USEPA SW-846 Method 6010C Inductively coupled plasma - atomic emission spectrometry, or an equivalent analytical method with a detection limit < 10% of stated maximum concentration in Table 1, Column 2 (i.e. 1 mg/kg dry weight for lead).
  - 4.6.2.3. Report as mg/kg dry weight.
- 4.6.3. Test method for measuring the boron concentration:
  - 4.6.3.1. Water soluble boron using a calcium chloride extractable method. Rayment, G.E. and Higginson, F.R. 1992. Method 12C1 or 12C2. In Australian laboratory handbook of soil and water chemical methods, Inkata Press, Australia (or an equivalent analytical method with a detection limit for hot water soluble boron or calcium chloride extractable boron < 10% of stated total concentration).
  - 4.6.3.2. Report as mg/kg dry weight
- 4.6.4. Test methods for measuring the electrical conductivity and pH:
  - 4.6.4.1. Sample preparation by mixing 1 part treated grease trap waste with 5 parts distilled water.
  - 4.6.4.2. Analysis using Method 103 (pH) and 104 (Electrical Conductivity) in Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
  - 4.6.4.3. Report electrical conductivity in deciSiemens per metre (dS/m).
- 4.6.5. Test method for measuring the oil and grease content:
  - 4.6.5.1. USEPA SW-846 Method 9071B n-Hexane Extractable Material (HEM) for Sludge, Sediment, and Solid Samples (or an equivalent analytical method). Note that the Soxhlet extraction may need to be repeated for samples containing large quantities of oil and grease.
  - 4.6.5.2. Report oil and grease in mg/kg dry weight.
- 4.6.6. Test method for measuring nitrogen:
  - 4.6.6.1. Total nitrogen – semimicro Kjeldahl. Rayment, G.E. and Higginson, F.R. 1992. Method 7A1 or 7A2. In Australian laboratory handbook of soil and water chemical methods, Inkata Press, Australia (or an equivalent analytical method).
  - 4.6.6.2. Report nitrogen in % dry weight.

- 4.6.7. Test method for measuring the moisture content:
- 4.6.7.1. USEPA SW-846 Method 9001 Determination of water in waste materials by quantitative calcium hydride reaction (or an equivalent analytical method).
  - 4.6.7.2. Report moisture content in % w/w.

## **Notification**

- 4.7. On or before each transaction, the processor must provide the following to each person to whom the processor supplies the treated grease trap waste:
- a written statement of compliance certifying that all the requirements set out in this order have been met;
  - a copy of the treated grease trap waste exemption, or a link to the EPA website where the treated grease trap waste exemption can be found; and
  - a copy of the treated grease trap waste order, or a link to the EPA website where the treated grease trap waste order can be found.

## **Record keeping and reporting**

- 4.8. The processor must keep a written record of the following for a period of six years:
- the sampling plan required to be prepared under clause 4.1.1;
  - all routine and/or one-off sampling results in relation to the treated grease trap waste supplied;
  - the quantity of the treated grease trap waste supplied; and
  - the name and address of each person to whom the processor supplied the treated grease trap waste.
- 4.9. The processor must provide, on request, the most recent sampling (whether routine or one-off or both) results for treated grease trap waste supplied to any consumer of the treated grease trap waste.
- 4.10. The processor must notify the EPA within seven days of becoming aware that it has not complied with any requirement in clause 4.1 to 4.6.

## **5. Definitions**

In this order:

**application or apply to land** means applying to land by:

- spraying, spreading or depositing on the land; or
- ploughing, injecting or mixing into the land; or
- filling, raising, reclaiming or contouring the land.

**composite sample** means a sample that combines five discrete sub-samples of equal size into a single sample for the purpose of analysis.

**consumer** means a person who applies, or intends to apply, treated grease trap waste to land.

**grease trap waste** means any grease, oils, solids, water or other matter resulting only from the preparation or manufacturing of food that is collected in a grease trap in the usual course of the operation of the grease trap. This definition includes dissolved air flotation (DAF) units used to treat grease trap waste, but does not include grease trap waste collected from grease traps in hospitals and shopping centres other than those solely from the preparation of food.

**processor** means a person who processes, mixes, blends, or otherwise incorporates treated grease trap waste into a material in its final form for supply to a consumer.

**transaction** means:

- in the case of a one-off supply, the supply of a batch, truckload or stockpile of treated grease trap waste that is not repeated.
- in the case where the supplier has an arrangement with the recipient for more than one supply of treated grease trap waste the first supply of treated grease trap waste as required under the arrangement.

**Manager Waste Strategy and Innovation  
Environment Protection Authority  
(by delegation)**

## Notes

The EPA may amend or revoke this order at any time. It is the responsibility of each of the generator and processor to ensure it complies with all relevant requirements of the most current order. The current version of this order will be available on [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

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.

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 treated grease trap waste 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 supplier 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 application of the substance to land 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 treated grease trap waste 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, including for example, the need to prepare a Safety Data Sheet. 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 liquid food waste exemption 2014**

### **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 liquid food waste from certain requirements under the *Protection of the Environment Operations Act 1997* (POEO Act) and the Waste Regulation in relation to the application of that waste to land, provided the consumer complies with the conditions of this exemption.

This exemption should be read in conjunction with 'the liquid food waste order 2014'.

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

- 1.1. This exemption applies to liquid food waste that is, or is intended to be, applied to land as a soil amendment.
- 1.2. Liquid food waste means liquid food waste from the manufacture, preparation, sale or consumption of food.

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

- 2.1. This exemption applies to any person who applies, or intends to apply, the liquid food waste to land as set out in 1.1.

### **3. Duration**

- 3.1. This exemption commences on 24 November 2014 and is valid until revoked by the EPA by notice published in the Government Gazette.

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

- 4.1. This exemption applies to premises at which the consumer's actual or intended application of liquid food waste is carried out.

### **5. Revocation**

- 5.1. 'The liquid food waste exemption 2014' which commenced on 6 June 2014, is revoked from 24 November 2014.

## **6. Exemption**

- 6.1. 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 application of liquid food waste to land as a soil amendment at the premises:
- section 48 of the POEO Act in respect of the scheduled activities described in clauses 39 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
- 6.2. The exemption does not apply in circumstances where liquid food waste 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 39 'waste disposal (application to land)' or clause 40 'waste disposal (thermal treatment)' of Schedule 1 of the POEO Act.

## **7. Conditions of exemption**

The exemption is subject to the following conditions:

- 7.1. At the time the liquid food waste is received at the premises, the material must meet all material requirements for liquid food waste which are required on or before the supply of liquid food waste under 'the liquid food waste order 2014'.
- 7.2. The liquid food waste can only be applied to land as a soil amendment.
- 7.3. The consumer must ensure that the liquid food waste is appropriately contained on receipt at the land application site, such that leaching or runoff of waste is prevented prior to land application. The containment must also ensure minimal risk of exposure to and transfer of pathogenic materials from the site by vectors (animals, birds and insects).
- 7.4. The consumer must calculate application rates prior to the liquid food waste being land applied. The application rates must be equal to or less than the agronomic rate for the most limiting factor.
- 7.5. The liquid food waste can only be injected into land between 10 cm and 30 cm below the soil surface. The consumer must ensure that furrows are covered shortly after injection.
- 7.6. The liquid food waste must not flow off-site either by means of surface or lateral sub-surface flow.
- 7.7. The liquid food waste must not be applied to land where the site characteristics specified in Column 1 of Table 1 do not meet the requirements in Column 2 of Table 1.
- 7.8. The liquid food waste must not be applied to land that is within the buffer zones for the protected areas specified in Table 2.
- 7.9. The consumer must ensure that they do not cause or permit the migration of leachate from the premises from liquid food waste following receipt at the land application site, but prior to land application, and when applying liquid food waste to land.
- 7.10. Where the liquid food waste is land applied within 4 weeks of any other exempted waste, an investigation to determine the suitability of the proposed application must be undertaken prior to the waste being received at the

application site. A report must be prepared including, but not necessarily limited to, information detailing how the receiving site will benefit from multiple wastes being applied, how the matrices and constituents of the different wastes will interact, and what application rates will be appropriate to minimise the potential for environmental harm. The investigation should determine whether the land application will deliver a net benefit. Where a net benefit is not demonstrated the land application of liquid food waste must not proceed. A written record of the report must be kept for a minimum period of three years.

**Table 1 Landform requirements for the application site**

Column 1	Column 2
Site Characteristic	Requirement
Slope	Less than 10%
Drainage	No application of wastes permitted in: - Waterlogged soil; and/or - Slowly or highly permeable soil
Depth to bedrock	Greater than 60 cm
Surface rock outcrop	Less than 10%

**Table 2 Buffer zones for protected areas**

Column 1	Column 2	Column 3	Column 4
Protected Area	Minimum width of buffer zones (m)		
	Flat (<3% or 2° slope)	Downslope (> 3% or 2° slope)	Upslope
Surface waters	50	100	5
Farm dams <sup>1</sup>	20	30	5
Drinking water bores	250	250	250
Other bores	50	50	50
Farm driveways and fence lines	5	5	5
Native forests and other significant vegetation types	10	10	5
Animal enclosures	25	50	25
Occupied dwelling	50	100	50
Residential zone	250	500	250

<sup>1</sup> Buffer zones to other drainage features in the landscape, including drainage depressions, may be required to minimise run-off contaminating protected areas both on and off site.

7.11. The consumer must keep a written record of the following for a period of six years:

- the quantity of any liquid food waste received; and
- the name and address of the supplier of the liquid food waste received.

7.12. The consumer must make any records required to be kept under this exemption available to authorised officers of the EPA on request.

7.13. The consumer must ensure that any application of liquid food waste to land must occur within a reasonable period of time after its receipt.

## 8. Definitions

In this exemption:

**animal waste** means dead animals and animal parts and any mixture of dead animals and animal parts.

**application or apply to land** means applying to land by:

- spraying, spreading or depositing on the land; or
- ploughing, injecting or mixing into the land; or
- filling, raising, reclaiming or contouring the land.

**consumer** means a person who applies, or intends to apply, liquid food waste to land.

**corrosive** means a substance having properties that may damage or destroy living organisms and components of the soil, including soil organic matter. Commonly this includes strong acids and strong bases, or weak acids and weak bases occurring in concentrated form.

**liquid waste** means any waste (other than special waste) that exhibits any of the following:

- (a) has an angle of repose of less than 5 degrees above horizontal, or
- (b) becomes free-flowing at or below 60°C or when it is transported, or
- (c) is generally not capable of being picked up by a spade or shovel.

As defined in the POEO Act.

**Manager Waste Strategy and Innovation**

**Environment Protection Authority**

**(by delegation)**

## 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 current version of this exemption will be available on [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

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 should assess whether or not the liquid food waste 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 application of the substance to land 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 liquid food waste 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, including for example, the need to prepare a Safety Data Sheet (SDS).

Failure to comply with the conditions of this exemption constitutes an offence under clause 91 of the Waste Regulation.