



# *Government Gazette*

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## **PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2014**

Notice under Clause 21A: Notice of revocation and notice of approved scheduled waste facilities and other requirements for levy exempt mixed waste organic outputs

I, Jacqueline Moore, Acting Chief Executive Officer of the Environment Protection Authority (EPA), on behalf of the EPA:

- (a) revoke the following notice under clause 21A of the *Protection of the Environment Operations (Waste) Regulation 2014* (**Waste Regulation**):
- (i) the notice in Government Gazette No 182 of 2 May 2021, as varied by the notice in Government Gazette No 125 of 25 March 2022;
- (b) specify the following other requirements for mixed waste organic outputs (**MWOO**) for the purposes of clause 21A, pursuant to clause 21A(3)(b):

### Processing requirements

1. For the purposes of clause 21A, the MWOO must be pasteurised in the following manner:
- 1.1. by turning the mass of organic material 5 times, and before each of those turns the core temperature of the organic material must reach at least 55°C for 3 consecutive days or longer, or
- 1.2 by an alternative process that achieves the same level of plant and animal pathogens and plant propagule reduction as what would be achieved by completing pasteurisation in accordance with clause 1.1 of this notice. Any such alternative process must be clearly defined in writing and that documentation kept by the approved scheduled waste facility for a minimum period of three years.
2. For the purposes of clause 21A, and after the MWOO has been pasteurised in accordance with clause 1, the MWOO must be biologically stabilised in the following manner:
- 2.1. composted for 4 weeks or longer, or
- 2.2 by an alternative process that achieves the same level of biological stabilisation as what would be achieved by completing biological stabilisation in accordance with clause 2.1 of this notice. Any such alternative process must be clearly defined in writing and that documentation kept by the approved scheduled waste facility for a minimum period of three years from when the process was used.
- (c) approve the following scheduled waste facilities for the purposes of clause 21A of Waste Regulation with effect only for the specified period of 2 May 2022 to 1 November 2023 inclusive:
- (i) the Cleanaway Pty Ltd (ACN: 000 164 938) facility at 1725 Elizabeth Drive Kemps Creek NSW 2178 (Part Lot 740 DP810111) (**Cleanaway Kemps Creek**);
- (ii) the Suez Recycling and Recovery (Port Stephens) Group Pty Ltd (ACN: 071 096 421) facility at 330 Newline Road Raymond Terrace NSW 2324 (Lot 31 DP1090175) (**Suez Raymond Terrace**);

- (iii) the Veolia Environmental Services (Australia) Pty Ltd (ACN: 051 316 584) facility at 619 Collector Road Tarago NSW 2580 (Lot 69 DP754919) (**Veolia**); and
- (iv) the Eastern Creek Operations Pty Ltd (ACN: 105 104 087) facility at Wallgrove Road Eastern Creek NSW 2766 (Lot 10 DP1048435) (**ECO**).

(d) limit the amount of MWOO that is exempted from the calculation of the contribution payable under section 88 of the *Protection of the Environment Operations Act 1997* for the period to which amended clause 21A of the Waste Regulation applies (being the period which commenced on 2 May 2022) as follows:

- (i) for Cleanaway Kemps Creek, the amount is limited to 45,000 tonnes;
- (ii) for Suez Raymond Terrace, the amount is limited to 26,000 tonnes;
- (iii) for Veolia, the amount is limited to 45,000 tonnes; and
- (iv) for ECO, the amount is limited to 127,500 tonnes.

Note: The tonnes listed in (d) above reflect the estimated tonnes of MWOO to be produced up to 1 November 2023. The EPA may vary or revoke a notice under clause 21A of the Waste Regulation by notice published in the Gazette.

This notice commences on the later of:

- (a) the date it is published in the NSW Government Gazette, and
- (b) the commencement of the *Protection of the Environment Operations (Waste) Amendment Regulation 2022*.



JACQUELEINE MOORE  
ACTING CHIEF EXECUTIVE OFFICER  
ENVIRONMENT PROTECTION AUTHORITY

Date: 19/5/2022