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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, Tony Chappel, Chief Executive Officer of the NSW Environment Protection Authority (EPA):

- (a) revoke the notice in the Government Gazette No 213 of 20 May 2022, under clause 21A of the *Protection of the Environment Operations (Waste) Regulation 2014* (Waste Regulation).
- (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, 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, 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.
- (c) approve the following scheduled waste facilities for the purposes of clause 21A of Waste Regulation with effect only for the specified period of 1 November 2023 to 31 August 2024 inclusive:
 - (i) the Cleanaway Pty Ltd (ACN: 000 164 938) facility at 1725 Elizabeth Drive Kemps Creek NSW 2178 (Part Lot 740 DP810111) (Environment Protection Licence 12889) (Cleanaway Kemps Creek);
 - (ii) the Veolia Recycling and Recovery (Port Stephens) Group Pty Ltd (ACN: 071 096 421) facility at 330 Newline Road Raymond Terrace NSW 2324 (Lot 31 DP1090175) (Environment Protection Licence 12556) (Veolia 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) (Environment Protection Licence 20476) (Veolia Tarago); and

(iv) the Eastern Creek Operations Pty Limited (ACN: 105 104 087) facility at Wallgrove Road Eastern Creek NSW 2766 (Lot 10 DP1048435) (Environment Protection Licence 11798) (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 1 November 2023) as follows:

- (i) for Cleanaway Kemps Creek, the amount is limited to 25,000 tonnes;
- (ii) for Veolia Raymond Terrace, the amount is limited to 14,500 tonnes;
- (iii) for Veolia Tarago, the amount is limited to 25,000 tonnes; and
- (iv) for ECO, the amount is limited to 71,000 tonnes.

Note: The tonnes listed in (d) above reflect the estimated tonnes of MWOO to be produced up to and including 31 August 2024. 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 1 November 2023.



TONY CHAPPEL
CHIEF EXECUTIVE OFFICER
NSW ENVIRONMENT PROTECTION AUTHORITY

Date: 31 October 2023