Our reference: DOC22/359978

The Proper Officer
DOWNER EDI WORKs PTY LTD
9 Devon Street
ROSEHILL NSW 2142

**EMAIL**
11 May 2022

Dear Mr Thomas

**Environment Protection Licence Number 21611**
**DOWNER EDI WORKS PTY LTD – Lot 6, 9 Devon Street, ROSEHILL NSW 2142**

I refer to the application for an Environment Protection Licence (**EPL**) under the *Protection of the Environment Operations Act 1997* (**The Act**) authorising DOWNER EDI WORKS PTY LTD to undertake the scheduled activities of "Resource Recovery" and "Waste Storage" at Lot 6, 9 Devon Street ROSEHILL NSW 2142 (**the Premises**).

The Environment Protection Authority (**EPA**) has considered the matters set out in Section 45 of the Act when determining your application. You are advised that the EPA has approved the application. Environment Protection Licence Number 21611 (**EPL 21611**) is enclosed. The licence may also be viewed at the following link: http://www.nsw.gov.au/prpoeo.

The EPA expects that all assessments and reports required under EPL 21611 will be done when all operations at the premises are active.

The EPA also reminds DOWNER EDI WORKS PTY LTD that there are other related requirements to holding an EPL. They have been outlined as follows:

**Pollution Incident & Response Management Plan (PIRMP)**

A PIRMP is a document that outlines what procedures are in place to minimise the risk of a pollution incident on a premises. This includes having clear and effective notification, action and communication procedures to ensure the incident is dealt with safely, and all relevant people and authorities are notified, and kept informed throughout the incident. Details on how to prepare a PIRMP are available in the following document PIRMP Guideline.

An important aspect of PRIMPs is that a Licensee must keep the PIRMP at the premises and make certain parts of the PIRMP available on the licensee's website. PIRMPs must also be tested each and every year and reported in the Licence Annual Return.

All new licensees are required to have a PIRMP in place prior to commencing operations. Additionally, the EPA does not actually approve a PIRMP. Our role is to set objectives for

environmental management, not to be directly involved in the development of strategies to achieve those objectives.

**Licence Annual Return**

A licence annual return is due every 12 months on the anniversary of the licence being issued. The annual return covers a number of "Statements of Compliance" that must be completed. More information may be obtained in the EPA Guide to Licensing - Guide to Licensing. Where the licensee surrenders the licence before 12 months period, the licensee still requires submitting the annual returns.

More details on all licensing requirements may be obtained on the EPA webpage at https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences.

**Waste Levy**

The EPA is seeking more information from DOWNER EDI WORKS PTY LTD to ensure you are meeting the waste levy requirements under the Protection of the Environment Operations (Waste) Regulation 2014 (Waste Regulation). Please provide the information listed below by no later than **4 pm, 21 June 2022** to info@epa.nsw.gov.au, attention: Nadine Constantinou.

Your facility is liable for the waste levy. Payment of the waste levy is only triggered if the waste is stockpiled at your facility for more than 12 months, stockpiled above lawful limits or is unlawfully disposed of. Your waste levy liability is extinguished when you send waste from your site for lawful recycling, reuse or disposal. If your site is managed well, you should not have to pay the waste levy.

To comply with the waste levy requirements, you need to take several actions as detailed below.

**1. Authorised amount of waste permitted on site**

One of the triggers for payment of the levy is if you exceed your "Authorised Amount". An Authorised Amount is an upper limit of the amount of waste (in tonnes) that may be stockpiled on your facility at any one time. It applies to all waste (processed and non-processed). An Authorised Amount of waste will be set in tonnes as a condition of the licence. The Authorised Amount on your licence is 101,123 tonnes.

**2. Complete a stocktake and do a baseline survey**

As all waste entering the Premises will be levy liable, you will need to conduct a stocktake of all existing waste on-site, in tonnes, as close as possible to the end of the month in which your Licence is issued. You will need to report your methodology and total waste volume (including by waste type) to the EPA. Attachment A 'Approved Manner and Form' will help you meet this requirement.

You will also need to do a baseline survey, called a topographical survey to determine your ground level surface. You may want to combine this survey with the stocktake (volumetric stockpile survey) of what waste you have on-site. Attachment B, Checklist for Topographical Survey and Stockpile Volume/Tonnage Information' has been prepared to help you provide the results of the topographic survey and/or volumetric stockpile survey.

If a topographical survey is not practical at your site (e.g. your site is covered in a concrete hardstand), you may request an exclusion from this requirement. Please submit your request to the EPA in writing to info@epa.nsw.gov.au, attention Nadine Constantinou.

**3. Keep accurate records**

Intermediary facilities with a waste levy liability must record certain information about waste entering and leaving your facility (as "transactions"). Please see Attachment C - Guidance Note and the Waste Levy Guidelines available at http://www.epa.nsw.gov.au/wasteregulation/waste-levy.htm for further information about what records must be recorded.

Attachment D 'Benchmark Requirement – Output for transactions at levy facilities' shows how the EPA would like your records presented from your software system. This format for presentation of records to the EPA is not mandatory, rather it is a benchmark. The EPA recommends you meet this benchmark if you are obtaining or upgrading your weighbridge software.

**4. Reporting Requirements**

Intermediary facilities must also submit online monthly reports, called a *Waste Contribution Monthly Report* (WCMR), to the EPA through the Waste and Resource Reporting Portal (WARRP). In this WCMR, you must report to the EPA:

- Waste received at and transported from site
- Waste stream and waste type
- Where the waste came from and went to
- Waste processed on site

The WCMR is due 26 days after the end of each monthly reporting period, with your first reporting month being the month after the licence is issued. Attachment E to this letter is the application form you need to fill in and submit to the EPA for access to WARRP. The EPA will provide support and training for the online reporting system.

**5. Install and/or operate a weighbridge at your facility**

Facilities must have a weighbridge installed to accurately record waste movements.

If you already have a weighbridge, please provide a detailed description of the weighbridge that is operating on the Premises to info@epa.nsw.gov.au, attention Nadine Constantinou. This should include:

a) Evidence that the weighbridge is suitable for your facility, including design specifications, length, number of decks and weight limits (include the usual range of vehicle movements at your facility, in number and weight ranges).
b) Site plan, including location of existing structures and weighbridge. Detail vehicle flow controls, including the entry and exit points where waste is transported into and out of the waste facility.
c) Description of the IT weighbridge management system.
d) Statement about whether the weighbridge can be verified (as required by the *Commonwealth National Measurement Act 1960*).

For further information about these requirements please refer to www.epa.nsw.gov.au/wastechanges

If you have any queries relating to this matter, please contact Nadine Constantinou on (02) 9995 5654.

Yours faithfully

**ALEXANDER SPALLER**
**Unit Head Waste Compliance**
**Environment Protection Authority**

Encl : Attachment A: Approved Manner and Form – Existing Stock
Attachment B: Topographical Survey and Stockpile Volume/Tonnage Information
Attachment C: Guidance Note – Recording requirements for resource recovery facilities
Attachment D: Benchmark Requirement – Output for transactions at levy paying facilities