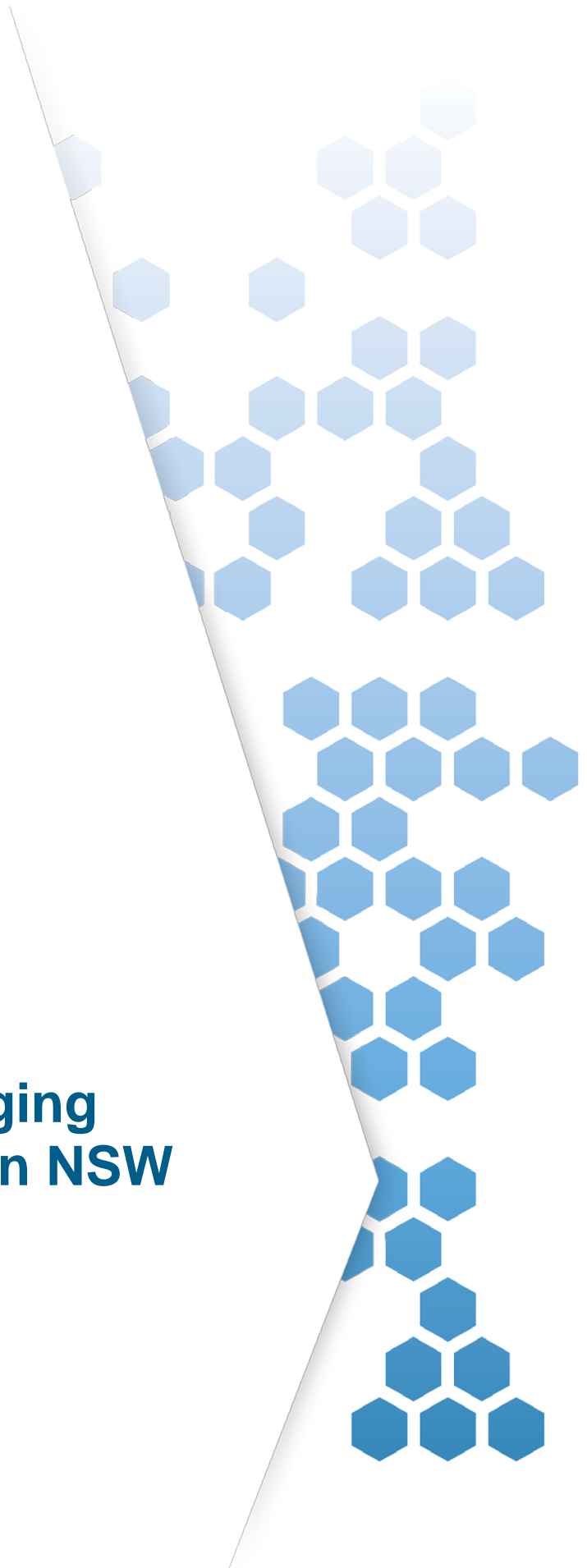


Standards for managing construction waste in NSW

Public consultation draft



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Published by:

Environment Protection Authority
59 Goulburn Street, Sydney NSW 2000
PO Box A290, Sydney South NSW 1232
Phone: +61 2 9995 5000 (switchboard)
Phone: 131 555 (NSW only – environment information and publications requests)
Fax: +61 2 9995 5999
TTY users: phone 133 677, then ask for 131 555
Speak and listen users: phone 1300 555 727, then ask for 131 555
Email: info@epa.nsw.gov.au
Website: www.epa.nsw.gov.au

Report pollution and environmental incidents

Environment Line: 131 555 (NSW only) or info@epa.nsw.gov.au
See also www.epa.nsw.gov.au

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1 Definitions

The following terms are used throughout these standards. Any other terms, unless otherwise stated, take the same meaning as provided in the *Protection of the Environment Operations Act 1997* (POEO Act) and the Protection of the Environment Operations (Waste) Regulation 2014 (Waste Regulation).

C&D waste facility: means a construction and demolition waste facility within the meaning of clause 90B of the Waste Regulation.

EPA: means the New South Wales Environment Protection Authority.

Inspection point 1 or verified weighbridge: means a weighbridge that is verified in accordance with clause 36(3)(f) of the Waste Regulation.

Inspection point 2 or tip and spread inspection area: means a dedicated working area located on a C&D waste facility after the verified weighbridge where each load of construction waste is temporarily deposited and spread for the purpose of inspection for unpermitted waste types within the load. It must:

1. have a minimum surface area of 100 square metres (m²);
2. be large enough so that each load of construction waste deposited for inspection can be clearly identified and delineated;
3. be a hardstand designed and constructed from concrete to withstand the spreading and scraping of waste and the load and frequency of incoming vehicles and machinery used at the C&D waste facility; and
4. be designed and constructed to prevent both run-on and run-off from surface water.

Inspection point 3 or waste storage area: means a dedicated area with clearly labelled or signposted stockpile areas (free-standing stockpile areas or enclosed bay) containing construction waste that has undergone the inspection and sorting requirements for the purpose of:

1. further recovery at another C&D waste facility; or
2. further processing or mechanical sorting at the C&D waste facility; or
3. disposal at a licensed landfill permitted to receive that waste type; or
4. final product for sale or distribution.

Mechanical sorting: means separation according to waste type using machinery.

Rejected loads register: means a hard copy or electronic document held on-site at a C&D waste facility that records the details of each load of waste rejected from the facility in accordance with Standard 1.4.

Resource recovery order: means the requirements of an order made under clause 93 of the Waste Regulation which generators and processors must comply with in order to lawfully supply the waste for land application, use as fuel or in connection with a process of thermal treatment.

Sorting: means to separate material into different waste types.

Trained personnel: means any person employed, contracted, engaged or permitted to perform tasks or duties at the C&D waste facility who has completed training under Standard 1.3.

Unpermitted waste types: means waste not permitted by the C&D waste facility's environment protection licence to be received at the C&D waste facility.

Vehicle: includes a motor vehicle, trailer and any combination thereof.

Waste types: means the waste types described in 'Table 3.1: Waste Types' in the EPA's [Waste Levy Guidelines](#).

2 Introduction

This document contains the standards a C&D waste facility must comply with for the purposes of Part 8A of the Waste Regulation.

3 Legislative requirements

Under Part 8A of the Waste Regulation, it is a condition of an environment protection licence of a C&D waste facility to comply with these standards.

These standards require the C&D waste facility to:

1. Implement the **inspection requirements** during the operations at the C&D waste facility in accordance with **Standard 1**.
2. Implement the **sorting requirements** during operations at the C&D waste facility in accordance with **Standard 2**.
3. Ensure that construction waste that has been inspected and sorted in accordance with these standards is **not mixed** with other waste at the C&D waste facility in accordance with **Standard 3**.
4. Implement the **waste storage requirements** for operations at the C&D waste facility in accordance with **Standard 4**.
5. Ensure that construction waste is **not transported** from the C&D waste facility unless it complies with **Standard 5**.

1 Standard 1: Inspection requirements

Each load of construction waste received at a C&D waste facility must undergo the following inspection requirements.

1.1 Inspection point 1 – verified weighbridge inspection

At the **verified weighbridge**, trained personnel must:

1. Inspect the top of each load from an elevated inspection point or by using a video camera connected to a monitor and determine whether or not the load contains any asbestos waste;
2. Where the load is reasonably suspected to contain any asbestos waste, reject the entire load of waste by directing the driver to immediately leave the facility and record the required information into the C&D waste facility's rejected loads register; and
3. Where no asbestos waste is observed in the load, record the details as required by clause 27 of the Waste Regulation and cause the load of waste to proceed directly to inspection point 2.

1.2 Inspection point 2 – tip and spread inspection area

At inspection point 2 – tip and spread inspection area, trained personnel must:

1. Direct the driver of the vehicle to tip and spread the entire load;
2. Inspect the visible surface area of the load at ground level;
3. Turn the load manually or direct a plant operator to turn the load and check for any asbestos waste and unpermitted waste types beneath the visible surface;
4. Where any asbestos waste is observed, reject the load of waste by ensuring that the entire load is immediately re-loaded onto the vehicle in which it arrived and that the vehicle leaves the C&D waste facility and then immediately record the required information into the C&D facility's rejected loads register;
5. Ensure that all unpermitted waste types identified within the load are immediately moved to the appropriate waste storage area as required by Standard 4; and
6. Ensure that all waste that may lawfully be received at the C&D waste facility proceeds to be sorted and stored in accordance with Standards 2 and 4.

Standard 1.2 does not apply to:

1. A load of construction waste received at the C&D waste facility that only contains waste that meets the requirements of a resource recovery order. This load of waste must be immediately transferred to the appropriate waste storage area referred to in Standard 4.

1.3 Training requirements for personnel

1.3.1 Training requirements

The following training requirements must be completed by all personnel before undertaking any task involving the inspection, identification, sorting or storage of construction waste, asbestos waste and unpermitted waste types at the C&D waste facility.

1. Training on:
 - a. the provisions of the POEO Act and its regulations (including the Waste Regulation) applicable to the operations at the C&D waste facility;

- b. the conditions of the environment protection licence for the C&D waste facility, with reference to the waste conditions and the waste types permitted to be received; and
 - c. the requirements of these standards.
2. Successful completion of a nationally accredited course in asbestos awareness and bonded asbestos removal.

1.3.2 Training records

All records of the training undertaken for the purpose of this Standard must be kept at the C&D waste facility.

1.4 Rejected loads register

A C&D waste facility must keep and maintain a rejected loads register. The rejected loads register must record the following details for each load of waste rejected from the C&D waste facility:

1. the date and time on which the load of waste was rejected;
2. the registration of the vehicle (including any trailer) transporting the rejected load of waste;
3. the location/address from which the rejected load of waste was received;
4. the waste type/s in the rejected load of waste; and
5. the reason the load of waste was rejected.

2 Standard 2: Sorting requirements

2.1 Sorting

Following completion of the inspection requirements of Standards 1.1 and 1.2, each load of construction waste received at the C&D waste facility must be sorted and classified into individual waste types for one of the following purposes:

1. Further recovery at another C&D waste facility;
2. Further processing or mechanical sorting at the C&D waste facility;
3. Transport to a waste facility that can lawfully receive the waste; or
4. Disposal at a lawful waste disposal facility.

Standard 2.1 does not apply to:

1. A load of construction waste that prior to receipt at the C&D waste facility constitutes a single waste type. This load of waste must be immediately transferred to the appropriate waste storage area referred to in Standard 4;
2. A load of construction waste that meets the requirements of a resource recovery order when it is received at the C&D waste facility. This load of waste must be immediately transferred to the appropriate waste storage area referred to in Standard 4.

3 Standard 3: No mixing of waste

3.1 No mixing of inspected and sorted construction waste with waste that has not been inspected and sorted

Construction waste that has been inspected and sorted in accordance with Standards 1 and 2 must not be mixed with any other waste at the C&D waste facility unless:

1. that other waste has been inspected and sorted at the C&D waste facility in accordance with Standards 1 and 2; and
2. it is of the same waste type.

4 Standard 4: Waste storage requirements

4.1 Waste storage area

4.1.1 Waste storage

All construction waste received at the C&D waste facility that has been inspected and sorted in accordance with Standards 1 and 2, must be stored in accordance with the following requirements:

1. Each individual waste type (including each unpermitted waste type) must be stored in a separate storage area that is clearly labelled or signposted to indicate the individual waste type being stored in that area;
2. Each label or signpost must be legible and clearly visible;
3. The labels or signposts at all waste storage areas containing waste intended to meet the requirements of a resource recovery order that is awaiting compliance test results before re-use, must also contain the words 'awaiting validation';
4. If waste is being stored outside of an enclosed bay, each stockpile of waste must be clearly delineated and separated from stockpiles of other waste types by a minimum of three metres from the base of the stockpile; and
5. Stockpiles containing the same waste type may touch at the base and are exempt from the three-metre separation requirement.

4.1.2 Waste stored in unpermitted waste storage area

All unpermitted waste types moved to a waste storage area in accordance with these standards must be transported to a waste facility that can lawfully accept that waste within one business day of receipt at the C&D waste facility.

4.2 Inspection point 3 – waste storage area

4.2.1 Obligations of trained personnel

At the waste storage area, trained personnel must do the following on each business day:

1. Inspect each labelled or signposted storage area to determine whether waste is being stored in accordance with Standard 4.1;
2. If any waste type is found in a storage area labelled or signposted with another waste type, immediately cause the waste to be moved to the appropriate storage area; and
3. Record observations, including each incidence of waste being identified in the wrong storage area, along with the date, time, the role and name of trained personnel carrying out the inspection.

4.2.2 Inspection records

Records of each inspection carried out by trained personnel in accordance with Standard 4.2.1 must be kept at the C&D waste facility for a period of three years from the date of the inspection.

5 Standard 5: Transport requirements

5.1 Transport requirements

1. Construction waste must not be transported from the C&D waste facility unless it has been inspected, sorted and stored in accordance with the standards and the load of waste transported from the C&D waste facility consists of a single waste type.

Standard 5.1 does not apply to:

1. Waste that has been rejected from the facility at inspection points 1 or 2.