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Landfill Planning & Regulation – recent amendments

Elisa de Wit
Partner
Norton Rose Fulbright Australia
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Overview

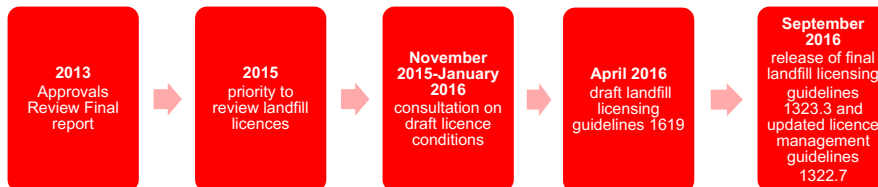
Rationale and intent of EPA licence review process

Changes to Licence Management Guidelines – 1322.7
September 2016

Changes to Landfill Licensing Guidelines – 1323.3
September 2016

Remake of Scheduled Premises Regulations 2007

EPA licence review process



3 |

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Rationale and intent for EPA licence review process

- Were existing conditions achieving their intended outcome?
- Previous approach to conditions outcome-focused
- Shift towards prescriptive, risk based conditions
- Greater certainty for landfill operators about EPA's expectations

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Licence Management Guidelines Publication 1322.7

5

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Key Changes

- Conditions for A05 Scheduled premises now in Landfill Licensing Guidelines – “L” conditions
- “G” conditions and others relevant to landfills
- Revised wording for general conditions, amenity conditions, waste acceptance conditions, discharges to water and land
- New condition regarding levy on haul road material

1

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Changes to conditions

Original condition	change
G1 – Waste from the premises	Revised condition wording
A1 – Odour	Revised condition wording
A2 – Noise	Revised condition wording
A3 – Fugitive Dust A4 – Particle Fallout	Conditions combined into: A3 Dust and Airborne Particles
DW1 – Stormwater	Condition renamed to: DW 1 Surface Water
DL1 – Contamination of land or groundwater	Condition divided into: DL Groundwater DL5.1 Land
WA1 - Waste Acceptance	Revised condition wording

7 |

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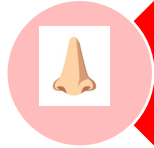
Landfill Levy (Haul Road) G 7.1

- You must maintain a Haul Road Construction and Management Plan (HRCMP) if you elect not to pay landfill levy for offsite sourced materials used for construction of roads inside the licensed waste disposal area
- HRCMP must be certified by a suitably experienced person and must include all information set out in Appendix 2 of Landfill guidelines (publication 332)
- HRCMP can be avoided if levy is paid

8 |

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Amenity conditions



A1 – Odour offensive to senses of human beings



A2 – Noise detrimental to environment and wellbeing of persons or property





A3 – Dust and Airborne Particles

9 |

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Discharges to Water and Land

- Separate conditions for managing discharge of stormwater and pollution of land
- Previous DL 1  DL 1 (not causing detriment to any beneficial use of **ground water** both within and beyond boundary)
 DL 5.1 (not causing detriment to any beneficial use of **land** on premises outside the landfill cells)
- new compliance requirements and methods of demonstrating compliance

10 |

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Landfill Licensing Guidelines Publication 1323.3

Key areas of change

- Monitoring programs
- Leachate containment
- Covers
 - Progressive cover
 - Daily cover
 - Asbestos cover
 - Control of vermin and weeds
 - Intermediate cover specification
- Tipping face
- Waste deposition, recovery and stockpiling
- Contours
- Hotspots
- Cells
- Rehabilitation
- Capping
- Closure

Monitoring programs – L 1

L 1 – Monitoring Program

You must develop and put into place a monitoring program that accords with Section 2 of the Landfill Licensing Guidelines, (EPA Publication 1323)... The monitoring program must be verified by a person who has been appointed as an environmental auditor under the Environment Protection Act 1970 and it must do all of the following :

- a) contain an assessment of the risks to the environment arising from the waste that has been deposited at the premises and of the current landfill operation prepared in accordance with the Landfill Licensing Guidelines, (EPA Publication 1323) or another method approved by EPA in writing;*
- b) describe the environmental monitoring of landfill gas, leachate, groundwater, land, air, odour, noise, dust and surface water which will be undertaken to respond to the risks identified in the risk assessment in paragraph a) above;*
- c) contain trigger levels and contingency actions to prevent further pollution when exceeded;*
- d) specify the frequency for completing environmental audits of the landfill operation; and*
- e) be appropriate and adapted to the characteristics of the landfill, including the landfill design, the volume of waste received, the age and planned future lifespan of the landfill and the surrounding environment.*

13 |

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Leachate

L4 – Leachate containment management

L4.1 Leachate management (300mm)

L4.2 Leachate management (inward gradient)

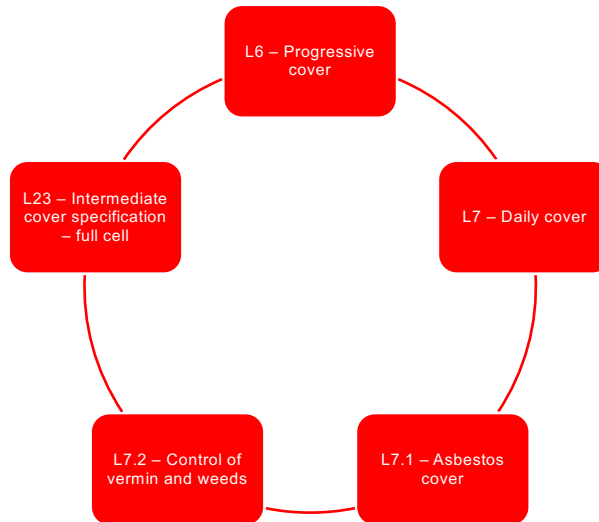
L4.3 and 4.5 Leachate management (hydrogeological assessment)

L4.4 Leachate management (extraction)

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Covers



15 |

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Tipping Face –L 8

You must:

- a) limit the area of the tipping face of each cell to [**relevant tipping face size**];*
- b) only operate one tipping face at any time unless a second tipping face is required for short term operational reasons; and*
- c) ensure the active tipping face is mechanically stable as per Section 7.6 of the Best Practice Environmental Management, Siting, Design, Operation and Rehabilitation of Landfills (EPA Publication 788).*

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Waste Deposition – L9, Waste Recovery L10, Waste Stockpiling – L11

L9 – procedure for non-conforming waste; waste may only be deposited within active cells; can still recover or store recyclable materials outside of cells

L10 – cannot recover or reprocess waste deposited in cells without approval from EPA similarly; immediate recovery of recyclable or recoverable material from the tipping face can still occur; restriction doesn't apply to daily cover

L11 – no stockpiling of waste unless extenuating circumstances; stockpiling of daily cover material or recyclable materials can still occur

17 |

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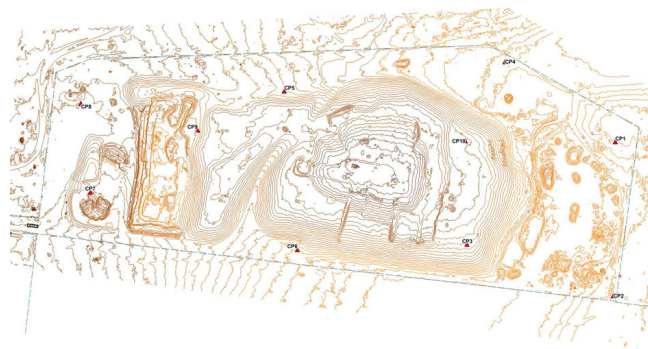
Contours – L13

You must manage each landfill cell so that the **surface contour** prior to settlement conforms to the surface profile grades in Section 8.1.5 of the BPEM (EPA Publication 788) or otherwise as approved by EPA in writing and so that the following is achieved:

a) [the **top of waste** prior to settlement is not higher at any point than the pre-settlement top of waste approved contour plan shown in Schedule 1].

or

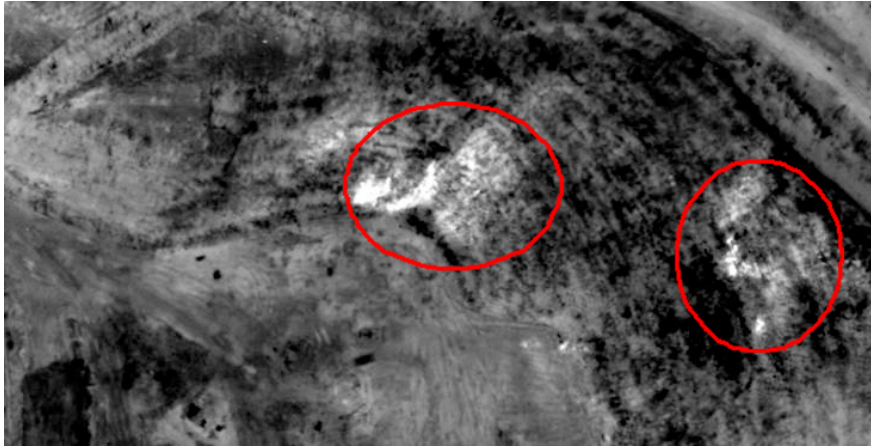
b) [the **top of cap** prior to settlement is not higher at any point than the pre-settlement top of cap approved contour plan shown in Schedule 1].



18 |

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Hotspots – L15 (prevent), L16 (report), L17 (manage)



19 |

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New Cells

Previous process for:

- construction of new landfill cells
- preparation of detailed design & CQA plan
- engagement of auditor to assess detailed design
- the approval of design



New conditions L18-L21



20 |

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New Cells

L18 – cell construction

You must:

- a) notify EPA of your intention to commence construction of a new landfill cell at the premises by written notice in accordance with Appendix 7 of the Landfill Licensing Guidelines (EPA Publication 1323); and*
- b) not start constructing a new cell without written EPA approval*

L19 – cell design

Prior to commencing construction of a new landfill cell you must submit the following material to EPA so that it may consider whether or not to grant approval for the construction of the new cell:

- a) detailed designs of the landfill cell meaning plans, technical specifications and a construction quality assurance plan which comply with Section 6 and Appendices D, E and F of the BEPM (EPA Publication 788);*
- b) an assessment report of the of the detailed designs prepared by a person who has been appointed as an environmental auditor under the Environment Protection Act 1970 in accordance with Appendix 14 of the Landfill Licensing Guidelines (EPA Publication 1323); and*
- c) a completed and signed auditor declaration in the format shown in Appendix 15 of the Landfill Licensing Guidelines (EPA Publication 1323).*

21 |

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New Cells

L 20 – cell audit

Upon approval by EPA to construct each new landfill cell, you must engage a person who has been appointed as an environmental auditor under the Environment Protection Act 1970 to conduct an environmental audit and submit an environmental audit report to EPA. The environmental audit report must:

- a) verify that the construction of the new landfill cell is in accordance with EPA approved designs;*
- b) assess any potential risks associated with the construction or use of the new landfill cell; and*
- c) be prepared in accordance with Section 53V of the Environment Protection Act 1970.*

L 21 – cell approval

You must not commence filling of any new landfill cell with waste without the written approval of EPA

22 |

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Rehabilitation – L 22

You must implement a rehabilitation plan for the landfill. The plan must:

- a) be revised after each cell is full, if necessary;
- b) meet the requirements of Section 8 of Best Practice Environmental Management, Siting, Design, Operation and Rehabilitation of Landfills (EPA Publication 788);
- c) set timeframes for placement of final capping of all completed cells, calculated from the date that the cell became full; and
- d) set timeframes for the progressive capture and treatment of landfill gas and leachate from each completed cell



23 |

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Capping – L 25 – L 27

L 25 Cap design and approval

Prior to commencing construction of each new section of landfill cap you must submit the following to EPA for approval:

- a) detailed designs of the landfill cap, meaning plans, technical specifications and a construction quality assurance plan which comply with Section 8 and Appendices D, E and F of the Best Practice Environmental Management, Siting, Design, Operation and Rehabilitation of Landfills (EPA Publication 788);
- b) an assessment report of the detailed designs of the cap prepared by a person who has been appointed as an environmental auditor under the Environment Protection Act 1970 in accordance with Appendix 14 of the Landfill Licensing Guidelines (EPA Publication 1323); and
- c) a completed and signed auditor declaration in the format shown in Appendix 15 of the Landfill Licensing Guidelines (EPA Publication 1323).

L 26 Cap auditing

Upon approval by EPA to construct each new landfill cap you must engage a person who has been appointed as an environmental auditor under the Environment Protection Act 1970 to conduct and submit an environmental audit report to EPA. The environmental audit report must:

- a) verify that the construction of the cap is in accordance with EPA approved designs;
- b) assess any potential risks associated with the construction; and
- c) be prepared in accordance with Section 53V of the Environment Protection Act 1970.

L 27 Final capping

You must complete final capping of cell (s) [X, Y, Z] within [placeholder] of the date that cell became full, in compliance with the approved rehabilitation plan.

24 |

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Closure L28

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You must provide EPA with at least 6 months' notice of your intention to cease accepting waste at the premises

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25 |

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Proposed Environment Protection (Scheduled Premises) Regulations 2017

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Proposed *Environment Protection (Scheduled Premises) Regulations 2017*

- *Environment Protection (Scheduled Premises and Exemptions) Regulations 2007* sunset on 26 June 2017
- Regulatory Impact Statement recommended remake of Scheduled Premises Regulations
- Recommendations:
 - temporary storage of asbestos exemption
 - temporary storage of liquid prescribed industrial waste exemption
 - categorisation of e-waste and glass re-processors as scheduled premises

27 |

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