

Information sheet

Environmental Protection (Waste ERA Framework) Amendment Regulation 2018

Waste ERA framework ERA 62 – Resource recovery and transfer facility operation

The purpose of this information sheet is to outline the introduction of an updated environmentally relevant activity (ERA) following the new waste ERA framework stage 2. This document is intended for guidance only and does not take the place of relevant legislation.

The Department of Environment and Science (the department) changed the waste-related environmentally relevant activities (ERAs) found in Schedule 2 of the Environmental Protection Regulation 2019 (EP Regulation)¹. The information sheet *Overview of the new waste ERA framework – Stage 2*² gives an overview of these changes.

On 4 February 2019, new risk-based categories were introduced into Schedule 9 of the EP Regulation³. The new ERA 62 thresholds align with these categories of waste and the scale of the activity. The aggregate environmental scores (AES) will also align with the risk and scale of the activity and determine the annual fee.

Description of ERA 62

From 1 July 2019, **ERA 62 - Resource recovery and transfer facility operation** requires an environmental authority for *operating a facility for receiving and sorting, dismantling, baling or temporarily storing waste before it is moved to a waste facility.*

ERA 62 thresholds will be determined by the following classification of waste:

- scrap metal, non-putrescible waste or green waste only;
- general waste;
- category 2 regulated waste;
- category 1 regulated waste; and
- end-of-life tyres.

The activity description also outlines activities not relevant to ERA 62, including, but not limited to:

- in-transit storage of waste;
- storing chemically treated power poles;
- sorting and storing waste generated by or because of a disaster situation, during the period of, and in the declared area for, the disaster situation; or

¹ The EP Regulation is available at <https://www.legislation.qld.gov.au/view/html/asmade/sl-2019-0155>.

² Available at www.qld.gov.au using the publication number "ESR/2019/4606 as a search term.

³ Information on the new regulated waste classifications can be found on the department's website <https://environment.des.qld.gov.au/waste/review-reg-waste.html>

ERA 62 – Resource recovery and transfer facility operation

- operation, by a local government, of a facility that receives a total quantity of not more than 11,000t or 11,000m³ of waste in a year.

Appendix 1 – ERA 62 thresholds shows the new ERA 62 thresholds that came into effect on 1 July 2019. The Environmental Protection Regulation 2019¹ details the new ERA 62 in its entirety, including description, exclusions, thresholds and definitions.

Further information

Information regarding the waste ERA framework can be found on the department's website <https://environment.des.qld.gov.au/waste/review-reg-waste.html>. This includes links to the relevant legislation and details about Stage 1 of the waste ERA framework, which commenced on 23 November 2018.

If you have any further questions, please contact Permit and Licence Management on 1300 130 372 (option 4) or email palm@des.qld.gov.au.

Disclaimer:

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Science should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

Version history

Version	Date published	Comments
1.00	12 April 2019	First published.
2.00	1 September 2019	Updated for the Environmental Protection and Other Legislation (Waste) Amendment Regulation 2019 and EP Regulation 2019.

ERA 62 – Resource recovery and transfer facility operation

Appendix 1 - ERA 62 thresholds

62 Resource recovery and transfer facility operation

- (1) Resource recovery and transfer facility operation (the **relevant activity**) consists of operating a facility for—
- (a) receiving and sorting, dismantling or baling waste; or
 - (b) receiving and temporarily storing waste before it is moved to a waste facility.
- (2) The relevant activity does not include—
- (a) in-transit storage of waste; or
 - (b) operation, by a local government, of a facility that receives a total quantity of not more than 11,000t or 11,000m³ of waste in a year; or
 - (c) sorting and storing waste, generated by or because of a disaster situation, during the period of, and in the declared area for, the disaster situation; or
 - (d) storing waste, for not more than 28 days, in accordance with an accredited product stewardship scheme; or
 - (e) storing clinical waste consisting only of sharps in sharps containers that comply with AS 4031 or AS/NZS 4261; or
 - (f) storing chemically-treated power poles; or
 - (g) operation of a container refund point under the *Waste Reduction and Recycling Act 2011*, chapter 4, part 3B; or
 - (h) sorting or storing—
 - (i) a total quantity of not more than 6t or 6m³ of general waste at any one time; or
 - (ii) a total quantity of not more than 4t or 4m³ of category 2 regulated waste at any one time; or
 - (iii) a total quantity of not more than 1t or 1m³ of category 1 regulated waste at any one time.
 - (i) the receiving and sorting of waste by a State or local government entity if the waste is—
 - (i) generated by or for the entity as a result of the construction or maintenance of a State-controlled road, local government road or railway corridor; and
 - (ii) stored—
 - (A) on the road or railway corridor mentioned in paragraph (i); or
 - (B) on a site owned or operated by a State or local government entity.
- (3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the activity is carried out.

New ERA	Threshold		AES
ERA 62 Resource recovery and transfer facility operation	1(a)	operating a facility for receiving and sorting, dismantling, baling or temporarily storing scrap metal, non-putrescible waste or green waste only	6
	1(b)	operating a facility for receiving and sorting, dismantling, baling or temporarily storing general waste	14
	1(c)	operating a facility for receiving and sorting, dismantling, baling or temporarily storing category 2 regulated waste	26

ERA 62 – Resource recovery and transfer facility operation

New ERA	Threshold		AES
	1(d)	operating a facility for receiving and sorting, dismantling, baling or temporarily storing category 1 regulated waste	35
	2	operating a facility for receiving and sorting, baling or temporarily storing end-of-life tyres only	14

(4) In this section—

accredited product stewardship scheme see the *Waste Reduction and Recycling Act 2011*, section 87(2).

AS 4031 means AS 4031—1992 (Non-reusable containers for the collection of sharp medical items used in health care areas).

AS/NZS 4261 means AS/NZS 4261—1994 (Reusable containers for the collection of sharp items used in human and animal medical applications).

declared area, for a disaster situation, see the *Disaster Management Act 2003*, schedule.

disaster situation see the *Disaster Management Act 2003*, schedule.

in-transit storage, of waste, means storage of the waste in a vehicle or container for not more than 5 days at a place if, during the storage, the waste is not removed from the vehicle or container.

period, of a disaster situation, see the *Disaster Management Act 2003*, schedule.