

Information sheet

Environmental Protection (Waste ERA Framework) Amendment Regulation 2018

Waste ERA framework ERA 54 – Mechanical waste reprocessing

The purpose of this information sheet is to outline the introduction of a new environmentally relevant activity (ERA) following the new waste ERA framework stage 2 and how this will impact existing and new environmental authority (EA) holders. This document is intended for guidance and does not take the place of the relevant legislation.

The Department of Environment and Science (the department) introduced changes to 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 54 thresholds align with these categories of waste and the scale of the activity. The aggregate environmental scores (AESs) will also align with the risk and scale of the activity and determine the annual fee.

Description of ERA 54

From 1 July 2019, ERA 54 Mechanical waste reprocessing will require an environmental authority for *operating a facility for receiving and mechanically reprocessing waste*.

Mechanically reprocessing waste includes mechanically crushing, milling, grinding, shredding or sorting, waste. Examples include reprocessing waste using a trommel, glass imploder, concrete crusher, green waste shredder or tyre shredder.

ERA 54 thresholds will be divided across the following classifications of waste:

- inert, non-putrescible waste or green waste only;
- general waste;
- category 2 regulated waste; and
- category 1 regulated waste.

Each classification (except inert, non-putrescible waste or green waste only) has thresholds for:

- small-scale operations disposing of 5000t/year or less of waste;
- medium-scale operations disposing of more than 5000 to 10 000t/year of waste; and
- large-scale operations disposing of more than 10 000t/year of waste.

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>

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The activity description also outlines that the relevant activity does not include:

- baling or compacting clean paper, cardboard, aluminium cans or plastics: or
- reprocessing, including recycling, liquid waste: or
- reprocessing, including recycling, clean earth.

Appendix 1 – ERA 54 thresholds shows the new ERA 54 thresholds that came into effect on 1 July 2019. The Environmental Protection Regulation 2019² details the new ERA 54 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 the 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.

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Appendix 1 – ERA 54 thresholds

- (1) Mechanical waste reprocessing (the **relevant activity**) consists of operating a facility for receiving and mechanically reprocessing waste.
- (2) The relevant activity does not include—
- (a) baling or compacting clean paper, cardboard, aluminium cans or plastics; or
 - (b) reprocessing, including recycling, liquid waste; or
 - (c) reprocessing, including recycling, clean earth.
- (3) In the following table, the aggregate environmental score for the relevant activity is the score stated opposite the threshold within which the relevant activity is carried out.

New ERA	Threshold		AES
ERA 54 Mechanical waste reprocessing	1	operating a facility for receiving and mechanically reprocessing, in a year, more than 5,000t of inert, non-putrescible waste or green waste only	8
	2(a)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste - 5,000t or less	19
	2(b)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste - more than 5,000t but not more than 10,000t	25
	2(c)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of general waste more than 10,000t	31
	3(a)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 2 regulated waste - 5,000t or less	29
	3(b)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 2 regulated waste - more than 5,000t but not more than 10,000t	43
	3(c)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 2 regulated waste more than 10,000t	56
	4(a)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 1 regulated waste - 5,000t or less	32
	4(b)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 1 regulated waste - more than 5,000t but not more than 10,000t	50
	4(c)	operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 1 regulated waste more than 10,000t	73

- (4) In this section—
- mechanically reprocessing waste** includes mechanically crushing, milling, grinding, shredding or sorting waste, whether or not for the purpose of recycling the waste.

Examples—

reprocessing, including recycling, waste using a trommel, glass imploder, concrete crusher, green waste shredder or tyre shredder