C&D Recycling
Regulatory requirements and Asbestos Guidelines

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Presentation Summary

- Regulation of C&D recyclers
- DEC Asbestos Guidelines for C&D Recyclers:
  - Why developed
  - How developed
  - Requirements
  - Incorporating the Guidelines into Licences
  - Compliance with the Guidelines
  - Public Health Assurance Committee
Regulation of C&D Recyclers

- Part V of the *Environmental Protection Act 1986* for prevention, control and abatement of pollution and environmental harm.

- C&D recycling facilities may be prescribed premises under Cat 13/62 Environmental Protection Regulations 1987:
  - Cat 13 – Crushing of building material (1000 tonnes/yr)
  - Cat 62 – Solid waste depot (500 tonnes/yr)

- Need a works approval to construct or do works that cause the premises to become prescribed.

- Require a Licence to operate.
C&D recycling licences

- Licence sets conditions to meet objectives of the EP Act
- Standard suite of conditions plus site specific requirements (REFIRE licences)
- Licence typically valid for 1-5 years
- Annual licence fees
- Compliance with Asbestos Guidelines:
  - New C&D recycling facilities
    - applications should demonstrate how activities will meet DEC Asbestos Guidelines
  - Existing C&D recyclers
    - Transitional period to comply


DEC Asbestos Guidelines
Why Guidelines were developed

- Historic use of asbestos 1950-1990’s
- Demolition requirements for asbestos through WorkSafe...but.......
- Potential risks of asbestos remain:
  - from C&D recycling operations
  - in C&D recycled products
- Ensure C&D recyclers operating to best practice to minimise risks
- Improve confidence in the quality of C&D products
- Allow continued use of C&D recycled products
- Encourage wider use of C&D recycled products

How Guidelines were developed

- Asbestos consultant appointed to:
  - Identify gaps in current operations at C&D facilities through site audits
  - Review approaches in other jurisdictions
  - Recommend product specification and testing protocol
- Guidelines drafted by DEC
- Input from consultant, DoH, WorkSafe, MRWA, & industry
- Reviewed and endorsed by WorkSafe and DoH
- Industry consultation – comments considered
- Revised and issued for implementation December 2012
C&D Asbestos Guidelines

- Objectives of the Guidelines:
  - Minimise risk of asbestos being received
  - Minimise risk of asbestos emissions, eg in dust
  - Minimise risk of asbestos in recycled products.
  - NOT to manage OHS issues

- Set out minimum requirements for operators of C&D recycling sites:
  - Pre-acceptance of waste
  - Receipt, inspection and processing of waste
  - Monitoring procedures
  - Sampling and testing
  - General management – EMS/staffing/records

Key Aspects of Guidelines

- Requirement for Asbestos Management Plan (AMP)
  - Standard operating procedures to cover all aspects of site operation, monitoring, incidents & reporting

- Concentrate on front end-processes to reduce risk of asbestos entering the premises
  - Pre-acceptance, acceptance, inspection etc..

- Sampling and testing - validates processes and product quality

- EMS and on-going improvement

- Process Audits against AMP and Guidelines

- Minimum staff competencies and training
Sampling and Testing

- Consistent with DoH requirements where possible
- Default level to:
  - Validate site processes
  - Demonstrate compliance with product specification
- Reduced level of sampling and testing once site processes validated to consistently achieve product specification
- Criteria to meet eg DEC confirmed compliant
- Reduce rate withdrawn for non-compliance with criteria
- Financial support from OWA for initial 6 months

Licence Amendments

- All licensed C&D recyclers have had licence amended to include improvement condition
- Improvement condition requires:
  - Review of operations against guidelines
  - Submission of an improvement program where required
  - Improvements to achieved compliance in accordance with DEC agreed program
- Head Office compliance team working with recyclers – consistent approach
- Sites are all working towards achieving compliance or enforcement action being taken
Compliance update

<table>
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<tr>
<th>Companies that provided assessment report (AR) required under R1 received within 21 day timeframe</th>
<th>Companies that failed to provide AR within 21 day timeframe (including extensions)</th>
<th>Companies that haven't commenced compliance process to date</th>
<th>Companies that have removed category 1A from licence</th>
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<td>DEC has amended 16 Category 1A licences to date</td>
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<td>9</td>
<td>2</td>
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<td>Environmental improvement plans (EIP) required under R2</td>
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<td>EIPs required under R2 - received to date</td>
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<td>EIPs approved by DEC to date</td>
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- 3 sites being audited by DEC by end May

Public Health Assurance Committee (PHAC)

- MRWA require an independent audit testing program for products they receive
- PHAC set up to:
  - support MRWA in the development of program
  - Agree communication/information sharing between Agencies
- Members – MRWA, DEC, DoH
- Initially for a 12 month period
The End

Department of Environment and Conservation

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