

Submission on the Recycling and Waste Reduction (Export – Waste Tyres) Rules 2021: Discussion Paper

October 2021



Status of this Submission

This Submission has been prepared through the Municipal Waste Advisory Council (MWAC) for the Western Australian Local Government Association (WALGA). MWAC is a standing committee of WALGA, with delegated authority to represent the Association in all matters relating to solid waste management. MWAC's membership includes the major Regional Councils (waste management) as well as a number of Local Government representatives. This makes MWAC a unique forum through which all the major Local Government waste management organisations cooperate.

This Submission therefore represents the consolidated view of Western Australia Local Government. However, individual Local Governments and Regional Councils may have views that differ from the positions taken here.

Due to the timeframe for consultation, this Submission has not yet been considered by MWAC. It will be put before the Council at the upcoming meeting on Wednesday, 13 October 2021. The Department will be informed of any changes to this Submission following consideration by MWAC.

Introduction

The Western Australian Local Government Association (the Association) welcomes the opportunity to comment on the Recycling and Waste Reduction (Export – Waste Tyres) Rules 2021 Discussion Paper. The Rules are applicable to whole tyres including baled tyres and means that from 1 December 2021 a licence will be required to export the following (regulated waste tyres):

- Processed tyres, including tyre shred ($\leq 150\text{mm}$), crumb rubber, buffings and granules
- Bus, truck and aviation tyres that are exported to be re-treaded to a verified re-treading facility
- Tyre derived fuel.

From 1 December 2021, the following tyre waste will be prohibited from exported:

- Baled tyres
- Tyres that have undergone a process of high-density packing (for example being doubled, tripled or quadrupled packed)
- Whole tyres that are exported overseas to be reused
- Tyres – other than bus, truck or aviation tyres – that are exported overseas to be re-treaded
- Tyres that have been cut or shredded into pieces larger than 150mm.

Applying for a licence

An individual or business that wants to export regulated waste tyres will require an export licence from 1 December 2021. The licence expires after three years but can be renewed 30 days prior to the licence expiring. A licence can be revoked or suspended if the applicant provided incorrect or incomplete information in their application. The Department of Agriculture Water and Environment (DAWE) held a webinar on 14 September 2021 where it was confirmed that it will take approximately 20 working days to process an application for an export licence, but this is dependant upon the quality of information received and the assessment timeframe could potentially be greater.

Feedback from Local Government has questioned whether a licence can be revoked if a suitable local recycling option has been implemented. The intent of the Export Bans is to focus on developing and supporting recycling options in Australia, if the Licences cannot be revoked when local recycling is developed, it will potentially undermine the development and sustainability of local industries.

Shredded tyres

Chopping and grinding of tyres produces a low density, porous material through which air may percolate. The total surface area of tyre chips or crumb particles may also be large compared with the

volume occupied. The combination of permeability to airflow and a high exposed surface area means that a combustible material such as rubber is potentially susceptible to spontaneous combustion.

The Discussion Paper states that shredded tyres can be exported if the shred is $\leq 150\text{mm}$. During an online webinar discussion on 14 September it was stated that originally the shred was $\leq 80\text{mm}$ but after discussions with industry this was increased to $\leq 150\text{mm}$ as this size of shred was considered to have more environmentally appropriate end uses. The Association queried if any consideration was given to the potential fire risk posed by now exporting shredded tyres as opposed to whole baled tyres. DAWE stated that risk was considered but that shreds $\leq 150\text{mm}$ had more end uses. This did not address the question. The Association is aware that there was recently a fire in a shipping container of shredded tyres in Western Australia.

The Association's other concern is the 'intended use' of the shredded waste tyres. As identified in the Association's initial [Submission](#) on the Export Bans, the Association understands it is likely these materials are currently used as a fuel in developing countries. The ban will apply to whole baled tyres, but if shredded tyres are still exported to the same destination, for the same use, this would not represent a more positive environmental outcome or a value-added product. The Regulations include some restrictions regarding Tyre Derived Fuel export; including that the Minister may consider "(a) the intended use of the tyre derived fuel in the place to which the fuel is intended to be exported". However, that provision does not state that the Minister needs to consider the environmental impact of the material at its final destination. Local Government considered that it is essential that the Minister considers the environmental impact of the material, when exported. There are strict emissions controls in Australia regarding the combustion of waste, however this level of control may not be in place in the locations where the material is exported to. Therefore, it is essential that this be a consideration when the Minister is approving export licences.