

Waste-derived materials—guiding principles for determining approval processes and product standards¹



1 Background

As part of waste reform in South Australia the Environment Protection Authority (EPA) is reviewing the regulatory system for 'waste to resources' activities and their management. In May 2007 the Board of the EPA established a Waste to Resources Subcommittee to consider key issues and strategies for regulating the waste and resource recovery industry, including the beneficial recycling and reuse of liquid and solid wastes. The October 2007 report² of the Board Subcommittee concluded that the EPA's key objectives for regulating waste and resource recovery in order to meet the Objects of the *Environment Protection Act 1993* are to:

- minimise the risk of environmental harm occurring; and
- support the highest and best, safe available use of secondary materials in accordance with the waste management hierarchy.

The EPA will work with industry and the community to deliver these objectives as part of a comprehensive and well-understood regulatory framework for the protection of the environment and human health in South Australia. Implementing the framework will include developing policy, guidelines and standards for waste management and resource recovery to support the aims of sustainability under *South Australia's Strategic Plan* and *South Australia's State Waste Strategy*.

2 Purpose

All policies, guidelines and standards relating to waste derived products will be developed with regard to the Guiding Principles as set out here. The Guiding Principles define the approach that will be consistently applied to determine acceptable methods for waste processing and for reuse standards. The Guiding Principles are intended to ensure that resource recovery is suitable for an intended beneficial use, will maximise value and minimise any adverse impacts.

In applying the Guiding Principles the EPA will have regard to:

- state, national and international directions and frameworks in policy and regulation of waste and the environment
- relationships and interests of key players—industry, government and community; and
- continual review and improvement whilst providing a level of assurance for industry.

¹ This document sets out the principles that will be applied by the EPA to develop processes and product standards for waste derived products, and is described in implementation task 6 in the EPA Board Waste to Resources Subcommittee Report (2007), South Australian Environmental Protection Authority, Adelaide.

² The report is available at the EPA website <www.epa.sa.gov.au/pdfs/CommitteeReport.pdf>.

3 The Guiding Principles

GP1 EPA will support and encourage the use of the waste hierarchy

Individuals and business operators need to:

- apply the principles of the waste hierarchy in their operations, including at the point of generation the promotion of avoidance and reduction of waste
- avoid, where practical, the mixing of different waste streams where it reduces the highest value recovery options
- seek the highest and safest method available for the reuse, recycling or recovery of waste and secondary by-products
- ensure the safe disposal of residual or non-recoverable wastes.

GP2 EPA will take a risk-based approach to regulation

The EPA, individuals and business operators need to ensure that:

- the potential risk of harm to the environment is prevented or minimised
- sound science is used to assess risk
- the precautionary approach to the assessment of risk and environmental harm is applied where appropriate
- land and resource management is responsible and sustainable
- regulatory tools address and apply a risk based approach.

GP3 EPA will seek to maximise resource efficiency and will require appropriate quality assurance and quality controls

The EPA requires that waste recycling and reuse must demonstrate that it is genuine, beneficial and fit for purpose, including that it:

- maximises the potential benefits and prevents or minimises potential adverse impact to the environment and human health
- incorporates appropriate materials flow and stockpile management
- replaces a recognised raw material or product and, when compared to the material it replaces, has no greater potential risk of causing environmental harm, or is otherwise assessed to have acceptable and manageable risks
- applies acceptable methods in order to meet requisite standards
- uses robust, available and feasible technologies
- is recovered to specified standards that sufficiently address risk, quality assurance and quality controls, monitoring and reporting
- has an immediate market for the waste derived resource. Diversion should not be speculative and should not cause inappropriate market distortion.

GP4 EPA will ensure a consistent approach to regulation is implemented

The EPA will ensure regulation is effective, transparent, responsive and flexible by:

- continuing to develop the regulatory framework including guidelines and standards with consideration to a changing environment and market place
- acting in accordance with its compliance and enforcement guidelines
- aiming to maintain the integrity and prevent rorting of the regulatory system
- supporting and implementing the polluter-pays principle.

FURTHER INFORMATION

Legislation

Legislation may be viewed on the internet at: <www.legislation.sa.gov.au>

Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet 101 Grenfell Street Adelaide SA 5000	Telephone: Facsimile: Internet:	13 23 24 (08) 8204 1909 < shop.service.sa.gov.au >
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For general information please contact:

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