

Dear Sirs,

The City of Busselton's proposed contribution to the above mentioned guidelines under consultation is as follows.

1. We believe the guidance is clear, comprehensive, detailed and well structured.
2. We also agree that the requirements set forth are appropriate to the intended use and provide a flexible and much needed streamlined approach by allowing a screening pathway to risk assessment with the use of "comparator" products, as an alternative to a fully-fledged source-pathway-receptor risk assessment model.
3. It is our understanding that specific guidance is to be issued pertaining to a number of waste-derived material types at a later date, including waste-derived fuel. And that this will be based on DER's priority waste-derived material streams.
4. We are concerned that waste-derived fuels will be left for last (considered as a fairly low priority), although this could be a viable and environmentally adequate option under the end-of-waste framework, for local governments (or regional councils) to pursue in the medium term in dealing with their landfill diversion targets and challenges.
5. And we find that manufacturing of Solid Recovered Fuel does not seem to be clearly covered by the proposed guideline so that a potential submission could be initiated some time soon.
6. Hence, as a general purpose (case-by-case) guideline, we argue that the draft guideline released for consultation should be amended to be clearly inclusive of waste-derived fuels as well, so that it, at least, provides general guidance for a potential submission in that context.
7. To that end, we propose that all references to "raw material(s)" should read "raw material(s) or conventional fuel(s)" (Section 3.1, Step 1 table; Section 4.2.1 Screening risk assessment, 2<sup>nd</sup> paragraph; appendix B, "Raw material comparators" title and 1<sup>st</sup> paragraph).

Kind regards,

**Vitor Martins**  
Waste Coordinator

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## **Specifications and procedures required**

### ***Product specification***

According to the proposed guidance, if clean fill is produced and used in accordance with the specifications, procedures, testing and record keeping requirements, and authorised uses set out below, they will no longer be regarded as waste by DER.

Table 1 of the proposed guidance indicates the sources of waste and potential contaminants. Proposed contaminant concentration limits are based on *Ecological Assessment Levels for Soil, Sediment and Water* (DEC, 2010), as well as the asbestos guidelines limits.

### ***Operational control procedures***

As with drainage and road base materials guideline, an excessive burden seems to be placed on acceptance procedures, as they require all loads waste for use in the production of clean fill to be spread over to allow a comprehensive visual and odour inspection of all sides of the material. This means, according to the guidance, to spread the material to a depth of less than 30 cm and to turn over the material with the use of an excavator or similar vehicle. This would require full time presence of the required plant and competent staff, which might not be viable for regional local councils operating C&D recycling premises.

### ***Waste processing controls***

The guidance states that blending is permitted providing each of the streams being blended meets the product specification. As indicated, this means that sampling and testing of the different streams of materials to be blended must take place prior to the blending activity being undertaken.

This is unclear as there is no definition of what the term 'streams' applies to. If a load of material would be considered one stream, sampling and testing requirements would seem rather excessive.

Moreover, given natural variability of input materials, applying product specification criteria to incoming product streams as a process control procedure seems excessive and unnecessary, provided that the final product passes the relevant criteria, which should be necessary and sufficient to prevent unacceptable risks to the environment or human health from using the final product.

It is our view that if the DER considers that all incoming materials should comply with the finished product criteria, then DER should impose such a requirement to waste producers rather than to processors, and require waste producers to sample and test the materials and to dispose of them as waste, as necessary.

Regards,

**Vitor Martins**  
Waste Coordinator

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