



NSW Emergency Waste Sub Plan

A Sub Plan of the NSW Emergency Management Plan

November 2020

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Emergency Waste Sub Plan

1 Introduction

1.1 Purpose

This State Emergency Waste Sub Plan (the Sub Plan) describes the arrangements for managing waste generated from incidents and emergencies in New South Wales (NSW), including Lord Howe Island.

1.2 Authority

This Sub Plan is written and issued under the authority of the State Emergency and Rescue Management Act 1989 (NSW) (SERM Act) and the NSW State Emergency Management Plan (EMPLAN). It should be read in conjunction with the Environmental Services Functional Area Supporting Plan (EnviroPlan). In addition to these instruments, the following Acts and Regulations may apply to managing waste:

- Contaminated Land Management Act 1997
- Dangerous Goods (Road and Rail) Transport Act 2008
- Environmentally Hazardous Chemicals Act 1985
- Environmental Planning and Assessment Act 1979
- Protection of the Environment Administration Act 1991
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Waste) Regulation 2014
- Radiation Control Act 1990
- Waste Avoidance and Resource Recovery Act 2001
- Marine Pollution Act 2012
- Fire and Rescue Act 1989

This plan is a Sub Plan to the EMPLAN. It was approved by the Environmental Services Functional Area Coordinator (EnvSFAC) on 11 November 2020 and was endorsed by the NSW State Emergency Management Committee (SEMC) on 3 December 2020.

1.2.1 Revision history

Version	Date endorsed	Amendment notes
1.0	3 December 2020	

1.3 Activation

The arrangements in this Sub Plan are always active and do not require formal activation. Implementation of these arrangements will be initiated during response to an emergency (as defined in Section 2.1.1 of this Sub Plan) and can be scaled according to the level of response required.

Implementation of the Sub Plan is not reliant on a Natural Disaster Declaration and can be used for any incident or emergency requiring clean-up and waste coordination.

1.4 Scope

This Sub Plan includes:

- the potential risks and consequences of the emergency to the social, built, economic, and natural environments
- the policies and programs in place to mitigate these risks before, during and after an emergency
- the control and coordination arrangements for managing waste including situations where councils are unable, for a variety of reasons, to manage waste within their LGA or emergency management region
- an outline of waste management systems and the roles and responsibilities of agencies
- the multi-agency management arrangements at the state, regional and local levels
- links to sources of information for additional advice and guidance to ensure safe waste management and disposal.

1.4.1 Assumption

This Sub Plan is based on the assumption that all the agencies and organisations with a role or responsibility in this Sub Plan maintain their own procedural and operational capability by having:

- detailed operational plans
- adequately trained personnel
- enough resources to fulfil their role.

1.5 Goals

The goals for emergency waste management are to:

1. protect human and environmental health by minimising exposure to hazardous materials and other waste
2. implement governance, coordination and regulatory oversight of waste recovery actions to protect the community and environment from inappropriate waste disposal
3. ensure regular waste collection and disposal services are maintained where possible
4. ensure resource recovery occurs where possible (excluding asbestos waste and other hazardous wastes)
5. ensure waste is disposed or recovered at lawful waste facilities with appropriate regulatory oversight to protect human health and the environment
6. ensure the State has sufficient landfill and resource recovery capacity to respond to emergency waste disposal whilst still maintaining regular waste services
7. ensure all efforts are made to accomplish removal and disposal of waste in a reasonable timeframe and the clean-up does not impede physical and emotional recovery of the community.

1.6 Audience

The audience for this Sub Plan is the Commonwealth Government, NSW Government and agencies within the emergency management sector, local councils, non-government organisations (NGOs), industry, and business and community groups with a role in emergency management. Although the wider community is not the primary audience, community members may find the contents of this Sub Plan informative.

1.7 Linkages

This Sub Plan reflects current legislation, the arrangements in the EMPLAN, the strategic direction for emergency management in NSW and the accepted State practice for emergency management. The EMPLAN arrangements have not been repeated unless necessary to ensure context and readability. Any variations from these arrangements have been identified and justified.

In addition to the EnviroPlan the following plans may be relevant to this Sub Plan and should be considered concurrently:

- Biosecurity (Animal and Plant) Emergency Sub Plan
- State Bush Fire Plan
- New South Wales State Flood Plan
- Hawkesbury-Nepean Valley Flood Emergency Plan
- NSW Hazardous Materials/Chemical, Biological, Radiological, Nuclear Emergency Plan (incorporating the Asbestos Emergency Funding Arrangements)
- Major Structure Collapse Subplan
- New South Wales State Storm Plan
- New South Wales State Tsunami Plan
- NSW State Waters Marine Oil Chemical Spill Contingency Plan
- Engineering Services Supporting Plan

Other plans including supporting plans not listed above, may also be relevant to this Sub Plan and are available at

<https://www.emergency.nsw.gov.au/Pages/publications/plans/plans.aspx>

NSW has developed an Emergency Risk Management Framework that builds systems, capacity and culture towards a proactive, mitigation approach with a greater understanding and prioritisation of risks and a response that is integrated, systematic and efficient.

Further information on the NSW Emergency Risk Management Framework is available at <https://www.emergency.nsw.gov.au/Documents/publications/ERM-framework.PDF>

1.8 Maintaining the Sub Plan

The EnvSFAC will keep this Sub Plan current by:

- ensuring all emergency service organisations, functional areas (as defined in the SERM Act) and relevant officers included in this Sub Plan are made aware of their roles and responsibilities
- ensuring these roles and responsibilities are clearly stated in the plans of other State combat agencies (as defined in the SERM Act) and in other supporting plans
- conducting exercises to test arrangements set out in this Sub Plan
- reviewing the contents of this Sub Plan:
 - after significant waste response operations
 - when there are changes to the machinery of government and/or significant legislative reforms
 - when there are changes that alter agreed plan arrangements and
 - as determined by the NSW SEMC
- reviewing the entire Sub Plan no less than every five years.

2 Emergency Waste

2.1.1 Definition of emergency

The SERM Act defines an “emergency” as “an actual or imminent occurrence (such as fire, flood, storm, earthquake, explosion, terrorist act, accident, epidemic or warlike action) which:

- endangers, or threatens to endanger, the safety or health of persons or animals in the State
- destroys or damages, or threatens to destroy or damage, property in the State, or
- causes a failure of, or significant disruption to, an essential service or infrastructure being an emergency which requires a significant and co-ordinated response.”

Although this Sub Plan refers to waste arrangements in emergencies the same arrangements can be applied to smaller localised incidents.

2.1.2 Definition of emergency waste

Emergencies may produce or expose large quantities of waste which can result in significant community disruption and create risks to human health and the environment. The extent and type of waste produced by an emergency relies on the circumstances, type of emergency, surrounding environment and land use(s), and the extent of built structures.

This Sub Plan is only intended to provide guidance for emergency waste management, not everyday waste management arrangements.

Emergency waste is defined within this Sub Plan as:

- waste produced by an emergency due to damage to property, loss of containment, damage to infrastructure, or the environment including dangerous trees, felled after the event because their condition poses a threat to the community
- materials or goods disposed of during the response or recovery phase of the emergency from impacted or demolished structures, buildings, infrastructure
- materials and resources used by responders in significant quantities within the area of response
- animal carcasses and/or agricultural materials resulting from the event
- materials that become exposed due to an emergency
- liquid waste such as recovered oil following marine spills.

Further information on waste types is provided in Section 6.2 of this Sub Plan.

2.2 Potential consequences for both the built and natural environments

Waste produced during emergencies comes from damage to both the built and the natural environment. Damage to houses, towns, cities, roads and other infrastructure can significantly impact individuals and communities as can the overall environmental impacts from the emergency.

2.2.1 Social consequences

Waste produced during an emergency can:

- threaten human health (for example asbestos, putrescible waste, chemical, radioactive sources)
- impact on the amenity of built or natural landscapes (for example odours)
- prevent access by emergency services and essential services (for example, by blocking roads)

- impact the aesthetic of an area
- prevent or impede psychological recovery.

2.2.2 Economic consequences

Waste produced during an emergency can:

- be costly to clean-up
- prevent or hinder businesses and services from operating efficiently
- cause pollution
- disrupt primary production
- prevent or impede community recovery
- impact the term of life of existing waste facilities/landfills.

2.2.3 Natural and Environmental consequences

Waste produced during an emergency can:

- cause pollution and longer-term contamination
- prevent or impede natural and environmental recovery
- be harmful to the natural environment (for example, pollution to creeks and rivers)
- create legacy waste and environmental issues (for example, groundwater contamination from unlawful waste disposal or damage from using heavy machinery during the response or recovery)
- harm animals and plants
- result in increased invasive species.

2.3 Guiding waste management principles

2.3.1 Waste hierarchy

The NSW legislative frameworks applicable to waste management, including the objects of the *Waste Avoidance and Resource Recovery Act 2001* follow the 'waste hierarchy', which is a set of priorities for the efficient use of resources. The waste hierarchy is commonly used by numerous jurisdictions at a local, national and international level and sets out, in order from most to least preferable, the following options for managing waste.

1. **avoidance**, including actions to reduce the amount of waste generated by households, industry and all levels of government
2. **resource recovery** including re-use, recycling, reprocessing and energy recovery, consistent with the most efficient use of the recovered resources
3. **disposal** including management of all disposal options in the most environmentally responsible manner.

The waste hierarchy remains applicable, where possible, when managing waste produced during an emergency. There are certain wastes which must be disposed of, for example, asbestos and hazardous chemicals.



Figure 1 [Waste Hierarchy](#)

There are instances in emergencies where for public and environmental health and safety reasons the EnvSFA will prioritise the urgent disposal of waste over other waste hierarchy priorities.

2.3.2 Waste management principles

In addition to the principles of *prevention, preparation, response* and *recovery* (considered below in Sections 3,4,5 and 6 of this Sub Plan) and the other principles outlined in EMPLAN, the following principles are particularly relevant to managing waste from emergencies in NSW.

- **Coordination** - Agencies and/or functional areas work together to effectively manage the waste despite the complexity. The approach should be adapted as needed.
- **Efficiency** - Prompt actions to make areas safe while waste is in situ (for example, asbestos in and around a burnt structure) and to recycle and/or dispose of waste.
- **Responsibility** - Waste must only be recycled or disposed at lawful waste facilities for the types of waste being received.
- **Safety** - The safety of the community and workers, for example those removing the waste, is put first.
- **Favourable Value** - Value for money should be considered when selecting the most appropriate methods for managing the waste.
- **Local and Community-based waste management** - Where possible, appropriate and of value to the public, local resources should be used to manage the waste and to build capacity and resilience.
- **Effective communication** - The community and relevant stakeholders should be regularly informed and updated about the progress of waste management. Opportunities to ask questions and provide feedback should be given.

The [National Principles for Disaster Recovery](#) should also be followed. The national principles include:

- understand the context

- recognise complexity
- use community-led approaches
- coordinate all activities
- communicate effectively
- recognise and build capacity.

Local councils lead community recovery under emergency management arrangements and this will include waste. This can be undertaken through information to property owners about waste services, provision of the waste services or facilitating clean up through waste facility management.

Clean up after a disaster is key to recovery for the individual and the community, both physically and psychologically. Clean up needs and priorities change through the stages of recovery. For the broader community clean-up arrangements will generally fall into 3 categories however they are not definitive. These are:

- Clean up and disposal is paid and completed through Disaster Assistance funding. Recipients must apply through a means-tested process. This is facilitated by the Disaster Welfare area.
- Property owners who are insured. Clean-up and disposal is managed by the insurance company. Often a policy holder will receive a payment which includes the cost of the clean-up.
- Property owners who are not insured and do not qualify for disaster assistance funding. Experience has shown that these people, who are responsible for their own clean-up, will look to their local council for guidance and assistance.

3 Prevention

The EnvSFA will periodically review both the EnviroPlan and this Sub Plan and incorporate best practice and recommendations using the NSW Emergency Lessons Management Framework.

The EPA's role is to manage waste production as much as possible before an emergency occurs. The EPA will:

- encourage home and business owners or tenants to regularly dispose of waste and not stockpile it on site, as well as reduce waste through strategies including the Waste Less, Recycle More Initiative
- remind licensees under the *Protection of the Environment Act 1997* of their requirements to appropriately manage waste on their premises, including undertaking specific 'house-keeping' activities, and maintaining up-to-date Pollution Incident Response Management Plans
- work with local councils and industry to ensure they appropriately manage waste, for example, by reducing stockpiling of organic and other wastes
- encourage agencies responding to emergencies to be conscious of the type of materials they are using and where it would not be detrimental to their emergency response, to reduce the waste produced, for example, by appropriately containing firefighting foam
- coordinate best practice management, monitoring and responses to asbestos through the NSW Asbestos Coordination Committee.

Other state government agencies including the local councils, Office of Local Government, Department of Planning, Industry and Environment, Regional NSW, Fire and Rescue NSW, NSW State Emergency Service and NSW Rural Fire Service have a role in providing messaging and education to the community, industry and businesses about appropriately managing waste, build up and stockpiling of waste on properties.

Further information on the roles and responsibilities in Prevention is provided in Part B of this Sub Plan.

4 Preparedness

4.1 Waste management

The State Government and local councils are responsible for ensuring communities, businesses and industry are prepared for managing waste caused by the emergencies outlined in the recovery arrangements.

Waste produced by some emergencies may become too large to be managed locally. If this occurs, the EnvSFAC, may assume management for the disposal of waste.

4.1.1 Local emergency waste management

Local councils lead their community recovery. Waste management is a significant issue in recovery. Local councils will be supported by agencies such as the NSW Environment Protection Authority (EPA), NSW Police, NSW Rural Fire Service, Fire and Rescue NSW and the NSW State Emergency Service, where needed.

Transport for NSW - Maritime and the Port Authority of NSW have a role in the containment and recovery of waste resulting from maritime incidents.

See Appendix A for further details about the roles and responsibilities.

Local councils should consider the need for a local emergency waste management plan to ensure they can quickly and efficiently deal with the waste in emergencies. This might be in collaboration with their Local Emergency Management Committee using the Consequent Management Guides in Local Emergency Management Plans or taking advantage of established relationships through the RENEW NSW programs. These plans or guides should include the:

- waste facilities that can be used in an emergency
- type and quantity of waste each facility can accept
- appropriate locations for temporary storage facilities, in case that is required.

Councils should calculate the additional quantities of waste they can accept while still maintaining their normal waste management services.

Details in the council's emergency waste management plan will help to inform the council's capability and capacity to respond to the clean-up of waste types within acceptable timeframes and will assist in limiting the impact on public and environmental health.

The toolkit attached to this Sub Plan will assist councils to undertake this task.

4.1.2 Regional emergency waste management

Local councils also lead community recovery for larger, regional emergencies. They will be supported in waste management by agencies and groups including the EPA, the Environmental Services Functional Area, Local Land Services, NSW Police, NSW Rural Fire

Service, Fire and Rescue NSW, NSW State Emergency Service, Public Works Advisory, and the Engineering Services Functional Area, where needed. The arrangements can be managed through established local and regional emergency management committees and networks.

Local councils are encouraged to develop a regional emergency waste management plan with neighbouring councils through the Regional Emergency Management Committees containing agreed response and recovery actions. This plan will assist local councils and other agencies to quickly and efficiently respond to an emergency by implementing the actions set out in the plan.

4.1.3 State emergency waste management

The EPA is the lead agency for waste management in a state emergency, except in the following circumstances:

- the waste is located on Crown lands and managed by Crown Lands (though not when the lands are leased out)
- the waste is located in National Parks and managed by the National Parks and Wildlife Services
- the waste is in State waters following a vessel spill managed by the Port Authority of NSW
- the waste is in State waters following a vessel spill and managed by Transport for NSW - Maritime
- the hazardous waste is located on land and in inland waters and is made safe by Fire and Rescue NSW
- the waste once located on land has entered State waters and managed by Fire and Rescue NSW.

The EPA will be supported by several functional areas or agencies including Environmental Services Functional Area, the Engineering Services Functional Area, local councils (including through Local and Regional Emergency Management Committees), the Agricultural and Animal Services Functional Area, Public Works Advisory, NSW Police, NSW Rural Fire Service, Fire and Rescue NSW, Local Land Services, the Department of Primary Industries, Transport for NSW, and Resilience NSW.

See Appendix A for further details about the roles and responsibilities.

4.2 Communications

Local councils are responsible for public communications on waste for emergencies confined to local and regional areas. Duplication of messages or different messages across a variety of agency platforms can cause confusion. Communication strategies are to be developed and included in waste management plans or consequence management guides. Communications tasks should include who to contact, when to contact, how to contact, content for letters, websites, and fact sheets, broadcast emails, social media and strategies to be adopted if telecommunications are impacted. In the case of a marine spill the communications strategies will be provided by the combat agency.

The EPA is responsible for communications on waste for larger significant emergencies with input from the Public Information Functional Area and a range of other government agencies.

All communication on asbestos waste is to be sourced by the EnvSFA from the NSW Asbestos Coordination Committee Working Group to ensure whole-of-government accuracy and consistency.

4.3 Operational readiness

The EPA has and will maintain Regional Environmental Services Functional Area Coordinators (Regional EnvSFAC), a dedicated Incident Management Team and technical expertise ready to respond to emergencies and assist the combat agency.

The EPA operates a state-wide 24-hour incident and emergency system.

Emergency services, combat agencies, functional areas and the public can contact the EPA Duty Officer by ringing the Environment Line on 131 555 or emailing info@environment.nsw.gov.au.

4.4 Community engagement

Local councils and the EPA must regularly engage with the community on emergency waste. The methods used to build community preparedness will vary depending on the circumstances and location, but the key messages should be:

- report incidents to the emergency services or Environment Line (depending on the type of incident)
- follow the instructions of government agencies prior to, during and after an emergency
- do not enter an impacted or damaged house, structure or business after an emergency until you are told it is safe to do so
- the EPA via Environment Line or the local council can provide waste management advice for reducing risk around the home.

5 Response

5.1 Control and coordination

The EMPLAN states emergency response and recovery are conducted at the lowest level of effective coordination. Resources and support are augmented by Region and State level coordination as required.

In the case of a local emergency the local council may coordinate the emergency waste response and should activate its local emergency waste management plan or tasks in the relevant consequence management guide. In a regional emergency the impacted local councils lead control with support from other agencies. The EPA's Regional EnvSFAC will assist with local and regional emergency waste management responses.

The EPA is the lead authority responding to waste management in a State emergency.

There are circumstances where other agencies may be the lead as detailed in Section 4.1.3.

5.2 Concept of operations

Response activities do not tend to be waste related. Response focuses on protecting life, property and critical infrastructure, managing evacuation and information. Most emergency waste related activities start in the early phases of the recovery stage. However, local councils, the EPA and other agencies may need to respond by containing waste or attempting to minimise the waste generated during the emergency response. For example, containment is a priority for marine pollution events. The EPA may also be called upon to advise on the best ways to respond to an emergency involving waste. These include:

- **Containing waste**

While it is not always possible, ideally combat agencies should aim to contain the waste during the response to the emergency.

For example, if a combat agency is using firefighting foam to fight a fire involving a road tanker, attempts should be made to contain the waste.

Containing the waste will reduce the size of the area impacted and the chance of harm. Local councils and/or the EPA can provide guidance on appropriately containing waste. Fire and Rescue NSW can provide resources to assist with the containment of hazardous waste.

- **Minimising the amount of waste and harm from waste**

Combat agencies are also able to make prior informed decisions about response actions, which may result in less waste being generated during the response, or less harmful waste being generated.

Combat agencies select chemicals and materials that are most suitable for protecting life and property. They are also encouraged to consider their impact on the environment and select the least harmful option (where possible and not detrimental to its effectiveness). The EPA and/or local councils can provide guidance on these decisions.

The EnvSFA will also:

- liaise with licensed businesses to advise of imminent danger and answer questions relating to waste management
- participate in Emergency Operations Centres
- provide advice to the community on hazardous waste and chemicals on properties.

5.3 Assessments

Immediately following an emergency, the combat agency will conduct initial damage assessments to provide reporting on properties. These will include information about the structure type of an affected property and its destroyed or damaged status. The shoreline may be assessed in marine pollution events. The purpose of these assessments is for the combat agency to be able to report publicly and to government about the impacts of the emergency event and to inform the clean-up and recovery process.

Prior to recovery operations a more detailed assessment of the impact is conducted to inform recovery planning and operations. At this point data on waste type and volume is collected. This enables local councils to plan for landfill capacity and diversion to recycling and other resource recovery strategies and other contingencies, such as emergency cell development, temporary storage arrangements, and transport to other regional facilities or interstate. This data is also essential to inform longer term waste planning strategies.

The combat agency and supporting agencies will undertake inspections to determine whether there are hazardous waste or other types of waste present. For example, a house that has been impacted by fire may contain a range of waste types that are dangerous to people, such as burnt solar panels, chemicals, electricals or asbestos waste. Multi-agency impact assessment teams will maximise capability and quality of data collected at a property.

See [8.3.1](#) for further information on asbestos identification and sampling.

Fire and Rescue NSW is responsible for ensuring hazardous materials do not pose a safety risk.

In the event of a Natural Disaster Declaration and the activation of data sharing arrangements by the State Emergency Operations Controller (SEOCN), all data collected during impact

assessments should be shared with emergency management agencies via the Emergency Information Coordination Unit (EICU). The agencies involved will depend on the type of emergency.

6 Recovery

The arrangements for recovery operations in NSW are outlined in EMPLAN and further described in the [NSW State Recovery Plan](#).

Local councils are the lead agencies for waste management at the recovery stage in local emergencies. The EPA is the lead agency for regional and state emergencies. The EPA and local councils may be assisted by Public Works Advisory, the Animal and Agricultural Services Functional Area, combat agencies and SafeWork NSW, depending on the nature and location of the waste.

The Regional EnvSFAC coordinates and supports local councils and other agencies. A Regional Recovery Committee may also be used at the recovery stage of the emergency.

Part B contains details on the roles and responsibilities.

6.1.1 Waste estimates

The more detailed impact assessments should include the identification of different types of waste and the environmental impacts as well as an estimate of the volume of waste. This will allow waste facilities to anticipate the receipt of waste at landfills, the need for temporary storage facilities and the ability for reuse and recovery of waste. Waste estimates will also enable landfill operators to anticipate longer term impacts for the life of landfills.

6.2 Priority waste streams

Emergencies produce a range of waste types. Some of these waste types require specialist handling, transport and disposal. Detailed guidance on waste types and streams, handling, classification, transport, disposal or recovery options, and lawful waste facilities for disposal or recovery is provided in Appendix B.

This Section of the Sub Plan relies upon the same definitions as those used in Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) and the [Waste Classification Guidelines - Part 1: Classifying waste](#)

6.2.1 Asbestos waste

It is critical that those involved in the waste management response understand the definition of asbestos waste is broad and includes *any waste that contains asbestos*, including soils.

The EPA leads the NSW Asbestos Coordination Committee (NACC) Working Group which works to minimise the impacts of asbestos on the people and environment of NSW by ensuring that government agencies and emergency managers, local councils and Aboriginal Land councils effectively coordinate to achieve the safe management of asbestos at all stages of the asbestos lifecycle. This applies across the policy areas of workplace health and safety, planning and development, public health, emergency response and environment protection. The NACC Working Group is responsible for coordinating activities contributing to this goal, primarily through working with key State authorities and representatives of emergency managers and regulators. Coordination relates to all aspects of asbestos information/awareness, assistance, major incident response, compliance and enforcement.

Information about asbestos management after emergencies is developed through the NACC Working Group and is on the NSW Government's website: asbestos.nsw.gov.au. Messaging must be approved through the NACC Working Group.

The Asbestos Advisory Group may be convened by the EnvSFA to determine whether funding under the NSW Disaster Assistance Guidelines can be used to clean up asbestos that presents an unacceptable risk to public health.

Further information on asbestos waste is provided in Appendix B.

6.2.2 Building and demolition waste

Building and demolition waste is included under the definition of general solid waste (non-putrescible) in Schedule 1 clause 49 of the POEO Act and is defined in Schedule 1 clause 50 of the POEO Act. In an emergency this type of waste commonly results from partial or complete damage to buildings and infrastructure.

Building and demolition waste may contain small amounts of hazardous waste as defined in Schedule 1 clause 49 of the POEO Act. This possibility must be considered during the initial impact assessments.

Any building and demolition waste that includes asbestos fragments or dust is to be treated as asbestos waste.

6.2.3 Green waste

It is important that green waste is promptly processed in accordance with relevant guidelines, disposed of, or appropriately stockpiled as it can become combustible.

Green waste in emergencies includes tree branches, loppings, trunks, grass and leaves from gardens, parks, roadsides, National Parks, Crown Lands, residential, agricultural and commercial districts.

6.2.4 Putrescible waste

Uncollected and stockpiled putrescible waste will cause odours, attract animals and can be detrimental to the health of humans and the environment.

Schedule 1 clause 49 of the POEO defines:

***general solid waste (putrescible)** to include) household waste containing putrescible organics, waste from litter bins collected by or on behalf of local councils, food waste (from residents and businesses) and animal waste.*

A full list of putrescible waste and further information is provided in Appendix B.

6.2.5 Animal carcasses

The Department of Primary Industries (DPI) as the Agriculture and Animal Services Functional Area provides coordination and information on disposing of deceased livestock following natural disasters, animal biosecurity emergencies and animal welfare incidents. The information includes considerations for on-farm burials including environmental impact, statutory controls, legislation and safety.

Local Land Services, local councils and the EPA can assist in the location of disposal.

Further information is provided at:

<http://www.dpi.nsw.gov.au/>

6.2.6 Oil spill debris

The type and volume of waste generated in a marine or inland waters spill will depend upon the material spilled, the location of the spill and the clean-up methods employed. Irrespective of whether it is a water or land-based oil spill, significant volumes of liquid and solid debris will be generated and collected as a result of efforts to clean the spill up.

Oil spilled at sea may be collected or dispersed, or if it reaches the shoreline, it may be emulsified and contaminated with a variety of solids. Combat agencies will plan for disposal methods and suitable sites for temporary storage and disposal.

6.3 Establishing temporary waste facilities

Temporary waste facilities may need to be established as an interim solution to storing certain types of waste until the waste can be disposed of or recovered at a lawful waste facility. The establishment of temporary waste facilities should only occur if necessary.

For example, the emergency may have occurred in a remote area and it may be appropriate to initially aggregate and store the waste at a temporary waste facility before transporting it to a lawful waste facility.

There are certain risks with using a temporary waste facility that do not happen with use of a permanent waste facility.

Site selection should therefore ensure:

- priority is given to using existing waste facility spaces and council depots
- it is not near sensitive receptors
- water is accessible at the temporary waste facility (to assist with minimising dust and reducing the risk of 'garden' waste becoming combustible)
- appropriate temporary bunding is at place to prevent run-off from the site
- access to the temporary waste facility can be controlled.

Asbestos and other hazardous waste should not be stored at temporary waste facilities. An exception could be oil recovered from a vessel spill or spill into State waters. Additionally, depending on the nature of the incident, Commonwealth customs and quarantine requirements may also need to be considered.

The EPA should be consulted on and will assist local councils to identify appropriate sites for temporary waste facilities. The Engineering Services Functional Area may support local councils to establish these facilities.

Further advice on the establishment of temporary waste facilities is provided in Appendix B.

6.4 Transporting waste

6.4.1 Avoiding escape of waste during transport

Clause 70 of the *Protection of the Environment Operations (Waste) Regulation 2014* (POEO Waste Regulation) sets out the legislative requirements for avoiding escape of waste during transportation. In summary, all waste being transported must be adequately covered to ensure that it does not spill, leak or otherwise escape onto the road and create dust and litter, or damage to other vehicles. The EPA and other authorities can impose fines and penalties on those waste transporters that do not cover their loads. This requirement applies to the transporter of the waste, the owner of any motor vehicle used to transport waste, or the owner of any trailer used to transport waste.

Clause 78 of the POEO Waste Regulation includes specific requirements for the transport of asbestos waste. In summary, it requires that:

- any part of any vehicle in which the person transports asbestos waste is covered, and leak-proof, during its transportation
- bonded asbestos material must be securely packaged during its transportation
- friable asbestos material must be in a sealed container during its transportation
- asbestos waste (other than bonded asbestos material that is securely packaged or friable asbestos material that is in a sealed container) must be wetted down during its transportation.

Penalties apply for a failure to adhere with these requirements unless an exemption has been approved by the EPA.

Further information on transporting waste can be found in Appendix B.

6.4.2 Waste tracking requirements

Part 4 of the POEO Waste Regulation also contains waste tracking requirements. These requirements vary depending on the type of waste being transported. Information on trackable waste including asbestos, hazardous and liquid waste, the WasteLocate tracking system, waste generated in the Metropolitan Levy Area and waste being transported outside of NSW is provided in Appendix B.

6.5 Recycling and disposal

6.5.1 Waste recovery

Many waste types have potential to be re-used, for example, for fill or fertiliser. In the clean-up and recovery work that follows an emergency it may be desirable to utilise the waste locally. Bricks from demolition can function as a replacement for virgin quarried aggregate, and large volumes of 'green waste' may be valuable for restoring topsoil.

A key waste management principle of this Sub Plan (Section 2.3.2) is the concept of 'responsibility' meaning that waste must only be recycled or disposed of at waste facilities that are appropriate for the types of waste being received. A failure to do this could harm human health or the environment.

Local councils are responsible for waste recovery after local and regional emergencies. The EPA will provide support on selecting appropriate waste facilities for the type of waste and the quantities.

Operational decisions in the field for decontamination methods and materials on each property for each material must be completed by a licenced asbestos assessor or occupational hygienist and comply with asbestos safety regulations and environmental legislation.

6.5.2 Waste recycling

This Sub Plan encourages adherence to the waste hierarchy (Section 2.3.1). Often emergencies produce waste that can be recovered. However, there are also circumstances where it is inappropriate to do so.

For example, asbestos waste cannot be recycled and must be disposed of at a lawful waste facility. Where asbestos waste is found to have been mixed in with or to have contaminated other waste types as a result of an emergency, all of the combined wastes must be disposed of at an appropriate waste facility.

The following must be considered when planning to recycle waste:

- whether the waste type can be recycled lawfully
- whether the waste type can be transported, and the transport requirements are known and can be implemented
- whether there are waste facilities that can lawfully receive and recycle the waste type
- the cost effectiveness of recycling if the waste facilities are a significant distance from the emergency
- whether the waste needs to be stockpiled prior to transport and the principles in Section 6.3 have been considered and implemented.

6.5.3 Waste disposal

In some circumstances, the best option is to dispose of waste. The following must be considered, including whether:

- other options in the waste hierarchy have been considered
- the waste type can be disposed of lawfully
- the waste type can be transported, and the transport requirements are known and can be implemented
- there are waste facilities that can lawfully receive and dispose of the waste type and have the capacity to deal with the proposed volume of the waste
- the waste facilities are a significant distance from the emergency, and it is not cost-effective to transport the waste to those facilities
- the waste needs to be stockpiled prior to transport (and therefore whether the principles in Section 6.3 have been considered and implemented).

6.5.4 Waste levy and exemptions

Section 88 of the POEO Act requires certain licensed waste facilities in NSW to pay a contribution for each tonne of waste received at those facilities. Referred to as the 'waste levy', the contribution aims to reduce the amount of waste being landfilled and promote recycling and resource recovery. Facilities will usually pass on the cost of the waste levy to those seeking their services.

During emergencies, the waste levy may be waived by the EPA to facilitate timely and cost-effective waste disposal. Exemptions are applied to the local government area according to Natural Disaster Declarations. The EPA will contact local councils to find out which waste facilities will use the exemption. Enquiries relating to the exemption can be made by emailing waste.levydata@epa.nsw.gov.au.

Those seeking to access the levy exemption for disposing the waste (including community and contractors) should:

- contact the landfill operator prior to transport of waste to ensure the facility has access to the waste levy exemption (if not, the landfill operator can contact the EPA to do this)
- keep records with evidence that waste is from the declared area specified in the Natural Disaster Declaration including the amount of waste at an address and other relevant details. The landfill operator will also keep records of the disposal.

6.5.5 Waste disposal to other states

NSW has previously asked neighbouring States and the ACT to accept NSW waste in their waste facilities. In some circumstances, using a waste facility inter-state may be the best way to uphold the waste management principles (see Section 2.3.2).

For example, the waste may be closer to an interstate waste facility than a facility in NSW, meaning that it is not unnecessarily transported long distances.

Any extraordinary arrangements enacted due to an emergency requiring the use of interstate facilities will be negotiated and coordinated by the EPA and communicated to local councils and industry participants.

6.6 Record keeping

Those coordinating the waste clean-up must adhere to the record keeping requirements under the Clause 54 of the POEO Waste Regulation which provides that a consignor of waste must keep records for four years.

Records to be kept under Clause 54 must include the following:

- copies of each consignment authorisation issued by the EPA to the consignor authorising the transportation of waste in one or more loads or from one or more premises to a single waste facility (see clause 50 of the POEO Waste Regulation)
- copies of each waste transport certificate required to be obtained and completed by the consignor and given by the consignor to the transporter of the waste (see clause 43 of the POEO Waste Regulation)
- if the consignor is an authorised agent of one or more occupiers of waste facilities, a list of premises from which the waste was transported and copies of each agency agreement entered into by the consignor indicating the consignor is the authorised agent of the occupiers of those facilities (see clause 48 of the POEO Waste Regulation).

The following requirements are included in the EPA [WasteLocate User Guide](#):

- waste source information (where the waste came from)
- transporter information, including the identity of the driver, company and vehicle
- the date(s) the waste was transported
- tracking systems used and copies of information generated from these systems
- whether the waste was stored at an interim facility, such as a temporary waste facility, and the exact location of the facility
- the final waste facility that the waste was recycled or disposed at, including its exact location and company details
- receipts from the waste facilities.

7 Financial Assistance

Financial arrangements are described in EMPLAN Part 10. There are five categories of funding for clean-up available under the NSW Disaster Assistance Guidelines.

Part A of the Disaster Assistance Guidelines applies to individuals and residential households specifically in relation to clean-up and waste management:

- A.10 Clean-up and Removal of Damaged Household Contents and Debris from Residential Property of the Elderly or Infirm
- A.11 Clean-up of Green Waste and General Debris from Residential Property for Public Health and Safety
- A.12 Clean-up and Removal of Asbestos Containing Material from Residential Property for Public Health and Safety

Qualification of funding is generally means-tested, however exceptions may be granted at the discretion of the Government. For example, the clean-up and waste management for all properties affected by the 2019-2020 bushfires was funded by the NSW Government.

Other relevant parts of the NSW Disaster Assistance Guidelines address various aspects of clean-up and waste management such as the removal of green waste and debris from roads, and storm water infrastructure. There is assistance available for the Removal and Disposal of Animal Carcasses (D.6) and for payment of the Waste Environment Levy (E.3).

The following agencies have a waste management role under the NSW Disaster Assistance Guidelines:

- EPA
- Government appointed Recovery Coordinator or committee
- Local councils
- Resilience NSW
- NSW Department of Primary Industries
- Regional NSW – Public Works Advisory.

APPENDIX A – Roles and Responsibilities

The following roles and responsibilities are in addition to the roles and responsibilities described in the EMPLAN and relate to waste management. The agencies and functional areas will not necessarily have a role to play in all emergencies as it will depend on the context and nature of the emergency.

Agency/Functional Area	Roles and responsibilities
Agriculture and Animal Services Functional Area	<p>Role: to support the NSW EPA and the EnvSFAC assist communities, businesses and the environment recover from emergencies involving waste.</p> <p>Recovery:</p> <ul style="list-style-type: none"> • Support the clean-up of waste, particularly relating to animals and rural properties • Support cross agency communication and agreement on recovery activities concerning agricultural waste and animal carcasses.
NSW Asbestos Coordination Committee	<p>Role: to support government in the safe and efficient identification, control, monitoring, handling, transport and disposal of asbestos waste, resulting from and uncovered by an emergency.</p> <p>Prevention:</p> <ul style="list-style-type: none"> • Support local communities, councils, industry and government to undertake best practice when dealing with asbestos waste by: <ul style="list-style-type: none"> ○ Increasing asbestos awareness to influence behaviours ○ providing a consistent whole-of-government approach to asbestos management and advice to community ○ facilitating the safe and risk prioritised removal and disposal of asbestos. <p>Preparedness:</p> <ul style="list-style-type: none"> • Connect all agencies and facilitate the development of necessary and best practice planning • Support government preparedness through reviewing and providing input into plans and resources at local, regional and state levels • Facilitate the development of whole-of-government resources and information for community and industry about asbestos risks and actions to control risks following an emergency, as required. • Ensure frameworks and systems are in place to manage asbestos risks to human health and the environment following emergencies. <p>Response:</p> <ul style="list-style-type: none"> • Support combat agencies and functional areas with asbestos information to support response risk assessments. <p>Recovery:</p> <ul style="list-style-type: none"> • Support agencies completing impact assessments by providing advice and information about asbestos management, including identification, make safe, removal, professional qualifications and more, as requested

Agency/Functional Area	Roles and responsibilities
	<ul style="list-style-type: none"> • Provide oversight of asbestos management during recovery by reporting to the NACC on activities, progress, issues and government coordination • Provide oversight of government communications about asbestos risks and activities following an emergency, to support agencies to provide useful and appropriate information to community, councils and industry • Support government, industry, councils and community in the safe, timely and appropriate clean-up of asbestos waste by providing technical support and oversight for government coordination • Facilitate committee members' approval.
Asbestos Advisory Committee	<p>Role: to determine funding under the NSW Disaster Assistance Guidelines for the clean-up of asbestos containing materials in an emergency. See <u>NSW Hazardous Materials/Chemical, Biological, Radiological, Nuclear Emergency Plan (incorporating the Asbestos Emergency Funding Arrangements)</u>.</p> <p>Recovery:</p> <ul style="list-style-type: none"> • Recommend to the EnvSFAC funding of up to \$200,000 in extraordinary circumstances where asbestos containing materials present an unacceptable and immediate risk to public health and safety.
NSW Ambulance	See EMPLAN
Environmental Services Functional Area	<p>Role: to prepare for waste management and recover from an emergency; encourage waste avoidance and minimisation strategies and lead and coordinate the waste management response and recovery during a state and regional emergency.</p> <p>Prevention:</p> <ul style="list-style-type: none"> • Support consistent messaging to communities, businesses and landowners about waste avoidance and minimisation • Encourage reduction of waste generation by promoting and implementing the 20-Year Waste Strategy (in progress) • Review the EnviroPlan and Emergency Waste Sub Plan. <p>Preparedness:</p> <ul style="list-style-type: none"> • Minimise waste generation and ensure no unnecessary stockpiling on parks, land or by people who lease land (eg National Parks, Crown Lands) • Ensure NSW has the capacity to manage future waste, including waste caused by emergencies, by planning and supporting the construction of relevant infrastructure (via the 20-Year Waste Strategy) • Update the Emergency Waste Sub Plan including the toolkit of resources for local councils and other agencies. <p>Response:</p> <ul style="list-style-type: none"> • Continued implementation of the Emergency Waste Sub Plan • Support management of waste on land and in water during an emergency • Start negotiations for any extraordinary arrangements such as waste levy exemptions, alternative landfill cover.

Agency/Functional Area	Roles and responsibilities
	<p>Recovery:</p> <ul style="list-style-type: none"> • Coordinate and support the clean-up and management of waste in parks, on land and in water in partnership with other agencies (such as Transport for NSW, Public Works Advisory, DPIE) • Convene the Asbestos Advisory Committee to determine whether government funding should be released to clean up asbestos containing materials • Assist in the assessment of properties after the emergency • Along with other agencies, ensure impacted properties are safe for individuals to return, and if not, appropriately communicate why • Work with other agencies to ensure properties are sign posted if hazardous waste has been located or is suspected • Support local councils to implement their regional waste management plan • Assist with the establishment of temporary waste facilities with local councils if required • Coordinate the clean-up, transport and disposal/recovery of waste produced by the emergency at pre-determined properties, in conjunction with councils • Work closely with Public Works Advisory as the project manager for the logistical arrangement of clean-up operations • Ensure waste policy, systems and procedures are in place to ensure that waste is appropriately transported, recovered and disposed of • Communicate activities to the community, local councils, Local Emergency Management Committees, Regional Emergency Management Committees and industry • Communicate with relevant NSW Government and Australian Government stakeholders, including State Emergency Management Committee, and recovery committees.
Environment and Waste Sub-Committee	<p>Role: Convened by the NSW State Recovery Committee in response to significant emergencies to support and advise the State Recovery Committee on environment and waste issues.</p>
Engineering Services Functional Area	<p>Role: to support communities to prepare for waste management and recover from an emergency.</p> <p>Prevention:</p> <ul style="list-style-type: none"> • Support a consistent message to communities about reducing waste generation and appropriately managing properties. <p>Response:</p> <ul style="list-style-type: none"> • Undertake damage assessments • Undertake emergency works including protection, make safe and temporary repair works as requested by combat agencies and other functional areas <p>Recovery:</p> <ul style="list-style-type: none"> • Coordinate the humane destruction of affected animals and disposal of animal carcasses • Support building impact assessments • Provide specialist advice relating to damaged structures and hazardous materials during and after emergencies and disasters

Agency/Functional Area	Roles and responsibilities
	<ul style="list-style-type: none"> • Lead the logistical coordination of clean-up operations, including safe demolition and transport of waste to agreed waste processing or disposal facilities • Support impact damage assessments • Support the clean-up and management of waste. • Coordinate and manage procurement and contracting of services, such as those used to clean up and transport waste • See also EMPLAN and the Engineering Supporting Plan for the Engineering Services Functional Area roles including support for the EnvSFA, who is the lead agency for clean-up and recovery of waste.
Local Councils	<p>Role: to respond to waste management before, during and after a local or regional emergency.</p> <p>Prevention:</p> <ul style="list-style-type: none"> • Encourage the community (individuals and businesses) to use minimisation strategies to reduce and not inappropriately stockpile waste. <p>Preparedness:</p> <ul style="list-style-type: none"> • Develop an emergency waste management plan for use during and after a local emergency • Develop a regional emergency waste management plan with neighbouring councils <p>Response:</p> <ul style="list-style-type: none"> • Implement local or regional emergency waste management plan • Seek support from other NSW agencies where needed. <p>Recovery:</p> <ul style="list-style-type: none"> • Follow local or regional emergency waste management plans.
Local Government NSW Office of Local Government	<p>Role: to support local councils to prepare for emergency waste management and to consider appropriate regional approaches.</p> <p>Prevention:</p> <ul style="list-style-type: none"> • Support consistent messaging including from state agencies to communities on reducing waste generation, appropriately managing properties, emergency management and resilience. <p>Preparedness:</p> <ul style="list-style-type: none"> • Support local councils to develop appropriate waste management plans.
Fire and Rescue NSW	<p>Role: to support the EPA and EnvSFA in aspects of waste management and coordinate the response and recovery of hazardous waste on land and inland waters as the combat agency within NSW.</p> <p>Prevention:</p> <ul style="list-style-type: none"> • Support a consistent message to communities about reducing waste generation and appropriately managing properties including awareness and storage of hazardous materials. <p>Preparedness:</p> <ul style="list-style-type: none"> • Support the community to prepare properties by providing information on waste management.

Agency/Functional Area	Roles and responsibilities
	<p>Response:</p> <ul style="list-style-type: none"> • Support the management of waste during an emergency, particularly hazardous waste • Make-safe hazardous waste • Coordinate the clean-up of hazardous waste in inland waters. <p>Recovery:</p> <ul style="list-style-type: none"> • Provide advice on the clean-up of waste and its transport as needed • Coordinate the clean-up of hazardous waste in inland waters • Participate in building impact assessment teams (referred to by FRNSW as Rapid Damage Assessment Teams) • Provide drone capability with LIDAR capability to obtain volumetric analysis of waste.
NSW Food Authority	<p>Response:</p> <ul style="list-style-type: none"> • During some emergencies, the NSW Food Authority may recall certain food items. The NSW Food Authority will also need to ensure the appropriate disposal of these food items.
Health Services Functional Area	<p>Response:</p> <ul style="list-style-type: none"> • During certain emergencies, NSW Health will need to appropriately manage increased production of medical waste and will need to ensure it is appropriately disposed of.
NSW Police	<p>Role: to support the EPA and EnvSFA in aspects of waste management.</p> <p>Response:</p> <ul style="list-style-type: none"> • Support the response to the emergency. For example, by restricting access to dangerous areas, such as where hazardous waste is (or is suspected to be) present. • Play a key role in protecting persons from injury or death associated with waste from an emergency. <p>Recovery:</p> <ul style="list-style-type: none"> • Support the clean-up of waste, its transport, and disposal/recovery. For example, by undertaking traffic management when moving waste, or by restricting access to areas with hazardous waste. • Play a role in communicating with the affected community.
NSW Rural Fire Service	<p>Role: to support the EPA and EnvSFA in aspects of waste management.</p> <p>Prevention:</p> <ul style="list-style-type: none"> • Support consistent messages to communities about reducing waste generation and appropriately managing properties. <p>Preparedness:</p> <ul style="list-style-type: none"> • Support the community to prepare properties by providing information on waste management. <p>Response:</p> <ul style="list-style-type: none"> • Support the management of waste during an emergency, particularly hazardous waste. <p>Recovery:</p> <p>Participate in building impact assessment teams.</p>

Agency/Functional Area	Roles and responsibilities
NSW State Emergency Service	<p>Role: to support the EPA and EnvSFA in aspects of waste management.</p> <p>Prevention:</p> <ul style="list-style-type: none"> • Support consistent messages to communities about reducing waste generation and appropriately managing properties. <p>Preparedness:</p> <ul style="list-style-type: none"> • Support the community to prepare properties by providing information on waste management. <p>Response:</p> <ul style="list-style-type: none"> • Support the management of waste during an emergency • Provide information on identification of hazardous material locations as a result of floods and storms. <p>Recovery:</p> <ul style="list-style-type: none"> • Support the clean-up of waste as needed • Conduct Rapid Impact Assessments.
Port Authority of New South Wales	<p>Role: to ensure the safe navigation of commercial vessels in Sydney Harbour, Port Botany, Newcastle Harbour, Port Kembla, Eden and Yamba, including by regulating dangerous goods. To coordinate the waste management response and recovery during an emergency at one of the above harbours or a defined area of State waters as detailed in the NSW State Waters Marine Oil and Chemical Spill Contingency Plan..</p> <p>Prevention:</p> <ul style="list-style-type: none"> • To encourage the appropriate and safe management of goods on regulated vessels. <p>Preparedness:</p> <ul style="list-style-type: none"> • To maintain contingency planning for a marine pollution event. <p>Response:</p> <ul style="list-style-type: none"> • To coordinate emergency response, including the containment of and clean-up of waste.
Public Information Functional Area	<p>Role: to coordinate the collection, collation and dissemination of public information in a multi-agency emergency which is under the control of an emergency operations controller.</p>
Resilience NSW	<p>Role: to support the NSW EPA and EnvSFA to prepare for, respond and recover from an emergency involving waste.</p> <p>Preparedness:</p> <ul style="list-style-type: none"> • Support the implantation and review of the Emergency Waste Sub Plan. <p>Response:</p> <ul style="list-style-type: none"> • Support communications about waste during an emergency. <p>Recovery: Support the waste clean-up coordination and implementation, including coordination of funding arrangements.</p>
SafeWork NSW	<p>Role: to support the NSW EPA and EnvSFA to respond and undertake recovery activities.</p>

Agency/Functional Area	Roles and responsibilities
	<p>Response:</p> <ul style="list-style-type: none"> Support the management of waste during an emergency as needed. For example, by ensuring the health and safety of those persons undertaking the work is being prioritised. <p>Recovery:</p> <ul style="list-style-type: none"> Support the clean-up of waste, particularly its safe removal, transport and disposal of waste, including asbestos
Telecommunications Services Functional Area	See EMPLAN
<p>Transport Services Functional Area</p> <p>Transport for NSW - NSW Maritime</p>	<p>Role: to coordinate waste management, response and recovery during an emergency for a defined area of State waters as detailed in the NSW State Waters Marine Oil and Chemical Spill Contingency Plan To support the NSW EPA and the EnvSFA to respond and recover from an emergency involving waste on land.</p> <p>Prevention:</p> <ul style="list-style-type: none"> To encourage the appropriate and safe management of goods on regulated vessels <p>Preparedness:</p> <ul style="list-style-type: none"> To maintain contingency planning for a marine pollution event <p>Response:</p> <ul style="list-style-type: none"> Coordinate emergency response, including the containment of and clean-up of waste. Support the management of waste during an emergency as needed. For example, by assisting to restrict access to dangerous areas, such as where hazardous waste is (or is suspected to be) present. <p>Recovery:</p> <ul style="list-style-type: none"> Support the clean-up of waste, particularly its safe transportation to waste facilities on land and appropriate transport routes.

APPENDIX B

The toolkit is intended to provide the implementation advice and tools for the waste management strategies set out in sub-plan above. It does not yet achieve this and will be the subject of further development for completion around mid-2021. If you need further advice regarding the use of the toolkit please contact envsfa@epa.nsw.gov.au

8 Waste Management Toolkit

8.1 Waste Classification

All wastes that are intended for disposal must be classified using the step-by-step process outlined in the EPA's [Waste Classification Guidelines \(2016\)](#), to ensure that the waste is correctly identified and can then be managed appropriately. Sometimes, sampling and testing of the waste may be required to correctly classify it.

8.2 Waste principles in disaster response

Disaster waste creates situations where the [hierarchy of waste management](#) may need to be reprioritised. Avoiding and reducing waste (the most preferable options) must be addressed in prevention and planning strategies. The focus in response and recovery is on the continuity of essential services, reducing risk and harm to health and the environment and achieving the clean-up and disposal of disaster waste in a timely way to assist communities with emotional and physical recovery. This means that disposal, usually the least preferred option, may need to be given a higher priority. The reuse, treatment and recycling of waste should continue where possible however, these strategies should be identified in planning and preparation.

8.3 Assessment of local waste management capacity

At the onset of an emergency, local councils will be asked to provide an assessment of their ability to provide waste disposal services for disaster generated waste to the EPA and Regional NSW (Public Works Advisory).

This will include assessment of:

- Landfill facilities -
 - Licence conditions
 - Volume capacity
 - Whether they can accept asbestos contaminated materials (ACM) and other hazardous materials
 - Waste acceptance processes based on weighbridge processing of trucks per hour/day/week etc
 - Resourcing – equipment and staff – including cost estimates
 - Consideration for longer term impacts on LGA waste management
 - Estimates of costs (per tonne)
- Temporary storage locations -
 - Capacity to service – processing and security
 - Environmental controls

- May hold up to 1000 tonnes or 1000m³ at any one time (processing more than 6000 tonnes a year in the Regulated Area. Greater than this amount will require licensing by the EPA (POEO Waste Regulations)
 - May hold up to 2500 tonnes or 2500m³ on-site at any one time (processing more than 12,000 tonnes a year outside of the regulated area
 - Must be secure locations.
-
- Waste transfer stations
 - Recycling centres.

If it appears that council facilities are unable to respond to waste management needs locally, the EPA will work with local councils and recovery committees to determine the best alternative. This will most likely occur for a large-scale event particularly where the clean-up is managed by a government funded contractor(s).

Under usual recovery arrangements (with respect to the 2019-20 bushfires where all bushfire clean-up was government funded), qualification of government funded clean-up is means tested. This means those who do not qualify for government assistance and are not insured are responsible for their own clean-up. Transport of waste outside their local area would increase the cost and practicality of clean-up for this category of people. Councils should consider what arrangements can be made to accommodate this waste locally.

Examples of situations where disaster waste might be disposed of at a regional facility include:

- no available landfill capacity being in the LGA and normal business arrangements are to send waste out of the area
- landfill is not licensed to accept asbestos containing waste or facility management are not qualified to manage acceptance of ACM
- disposal of large quantities of disaster waste over a short time-frame would compromise a council's ability to use its waste facility(s) to meet the ongoing needs of its community.

Figure 2 provides a map of NSW waste facilities by Local Government Area and Emergency Management Region.

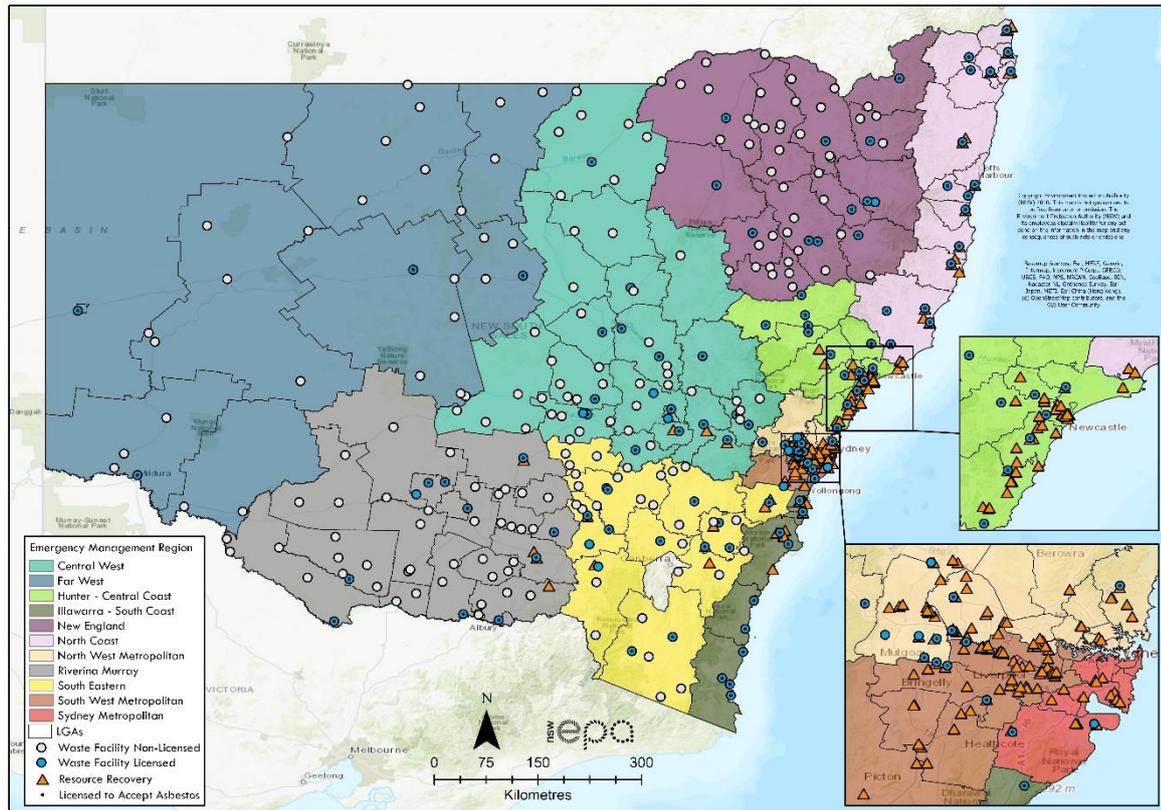


Figure 2 Waste facilities by LGA and Emergency Management Region

The above map image is representative of a web-based viewer that has been developed for this Sub Plan. The web viewer map contains content that is commercial in confidence. It has been produced by the NSW EPA to assist emergency management agencies with emergency waste planning. The map is password protected and may only be accessed with the EPA's permission. Please contact the EPA Environmental Services Functional Area for web viewer access envsfa@epa.nsw.gov.au. If you are granted access to the map, the password must not be shared with any person. Any information obtained from the map is to be used only by persons and agencies granted access to the map and only for the purpose of emergency waste planning. Otherwise, the information is to remain strictly confidential and must not be disclosed to any person.

The map should be viewed to determine suitable facilities and ability for disposal. Its features and functions include:

- waste facilities by LGA and Emergency Management Region (EMR)
- click on icon (triangle or dot) for details of the landfill
- 'ability to accept asbestos waste' designator with asbestos and non-ACM landfills to be identified with different coloured dots/triangles
- separation of landfills (disposal) into colour coded tiers:
 - Disposal Non-Licensed – implies the facility can dispose of up to 5,000 tonnes per annum, i.e. is appropriate only for smaller/local emergencies.
 - Disposal up to 50,000 tonnes per annum – indicates it is a 'regional' facility and could cope with a regionally significant emergency
 - Disposal greater than 50,000 tonnes per annum – facility may be useful for large scale emergencies.

8.4 Waste Disposal

Collection, transportation and disposal of disaster generated waste should be coordinated to ensure it is conducted safely and in a timely manner.

Apart from green waste, offsite disposal of disaster generated waste at a lawful facility is the preferred approach. Waste disposal at EPA licensed landfills minimises the risk of long-term groundwater and surface water pollution.

Onsite burial disposal of building waste on residential, commercial or rural properties is not preferred as it may cause legacy contamination problems. Decisions to dispose on-site will be considered by the State Infrastructure, Waste and Environment Subcommittee, or the EPA if the State committee has not been convened.

Events dealt with at the local level should consider the implications of on-site burial including the need to register the burial on a 10.7 planning certificate (formerly a 149 certificate) for each relevant block of land on which burial takes place.

Ash from building, sheds and other fire damaged structures should not be spread or buried onsite as it may contain asbestos or heavy metals from treated timbers (i.e. copper chrome arsenate or CCA) or other components that may cause soil and water pollution.

Waste that is suspected or presumed to contain asbestos will be treated as asbestos waste.

Recovery of materials is encouraged where possible. Safety requirements for waste handling and community impacts from delays to clean up must be considered. Waste types that may be easily recoverable include scrap metal, clean bricks and green waste.

Strategy	Priority	Activity
Prevention		
Community engagement	Education to avoid and reduce waste	
	Recycling	
Preparation and planning		
Community engagement	Council services	Toxfree (household chemicals clean out events), council collections, drop offs
Waste facilities*	How many?	What type (landfill/Waste Transfer Stations/recycling centre)?
	Licence conditions	Exemption/variation
	Levies	Modified cover
	Capacity (volume)	Emergency cell development
	Capability	Surge capacity
Temporary storage facilities	Location	Storage type

		Controls
Response		
Landfills	Continuation of essential services	
	Impacted facilities	
	waste services for evacuation centres	
Community engagement	Messaging	
Recovery		
Landfills	Confirm status for waste facilities identified in Preparation and Planning	
Priority waste streams	Green waste	
	Putrescible waste	
	Building and demolition	
	Hazardous materials/Asbestos containing materials	

8.4.1 Immediate Actions

A range of activities is initiated as soon as possible after the impact and often while the emergency response is still occurring. These should be considered in the interest of the continued safety of the community and can include:

- Identifying impacts to landfill and waste facilities and confirming pre-planned temporary storage locations
- Continued waste collection from those properties around the impacted location
- Identification of isolated people
- Provision of waste services for evacuation centres
- Clearing of waste and debris from roads for emergency services access and evacuation routes
- Public messaging regarding continuation and suspension of waste services
- Confirmation of resource availability of Council staff and equipment and planned contingency including for the possibility of longer-term surge capacity.

Generally, the impacted local council is responsible for these activities. However, support can be provided by relevant emergency management agencies or neighbouring councils if the council is overwhelmed. This should be predetermined in planning and preparation.

8.5 Asbestos and Asbestos Containing Materials (ACM)

8.5.1 Identification

In most cases, properties with hazardous waste or other dangers are to be sign posted and, where possible, immediate danger is to be minimised. To ensure ACM is properly identified, a licenced asbestos assessor (LAA) or occupational hygienist must be included on the assessment teams. LAAs take samples that are sent for analysis to confirm if the suspected material is ACM. Sample results are then made available to agencies, who have a related role in clean-up and removal of disaster waste, and to the affected property owners.

Regional NSW (Public Works Advisory) conduct structural assessments for the management of the clean-up funded by government disaster assistance programs. Asbestos sample numbers and results are captured in the Fulcrum data collection platform used by Public Works.

Assessments can be undertaken by local councils in the case of a local or regional emergency, or they may be conducted by the EPA with the support of local councils and other agencies in a state emergency. The agencies involved will depend on the type of emergency.

8.5.2 Render Safe

Clean-up and removal of disaster waste can take some time, so the preferred control of elimination is not always immediately available. The most effective control (prior to removal) to prevent health impacts from asbestos is to not disturb the dust or materials. To minimise risk until removal, control measures include:

- Application of polyvinyl acetate (PVA) glue or similar product to the waste
- Erecting fencing around the structure
- Erecting signage that clearly indicates the hazard.

If ACM is exposed for an extended period due to delay in securing the logistical arrangements required for clean-up of a large-scale event, consideration should be given to the reapplication of PVA glue or use of other appropriate cover arrangements for the ACM.

Previous events have shown the significant concern that ACM exposure can occur while a community waits for clean-up to occur. Although it is not a control measure, consideration should be given to the provision of air monitoring at strategic locations in an impacted community so as to provide assurance to community members and confidence in the agencies conducting clean-up activities.

8.5.3 Transportation and Tracking Requirements

Once asbestos has been identified, the waste fragments and damaged property will be treated as asbestos waste. [Part 7 of the POEO \(Waste\) Regulation](#) provides for the transport and management of asbestos waste. Work Health and Safety legislation provides the [removal and disposal of asbestos waste](#). Under Part 8.7 of the Work Health and Safety Regulation 2017, volumes of asbestos waste above 10 square metres must be removed by the holder of a Class A or Class B licence for asbestos removal.

NOTE: Burnt asbestos is treated as friable asbestos. As a result, removal of fire impacted asbestos waste requires licensed removalists. The removal of friable asbestos can only be by the holder of a Class A licence for asbestos removal.

Any deviation from these requirements will be dependent on the situation and the merits of the application. Any application for exemption or variation must be submitted to the NSW

Asbestos Coordination Committee and the EPA via the relevant Waste and Environment Recovery Sub-committee.

WasteLocate

[WasteLocate](#) is a digital system created for the EPA that uses records to track waste tyres and asbestos from collection, across the delivery chain to the disposal or recycling facility. Consignors and transporters are required by the POEO Waste Regulation to record specific information using WasteLocate and may use QR codes located at premises.

The EPA may provide an exemption from the requirement to use WasteLocate. This is determined by the scale, size, risk management records and oversight of the recovery activities.

A request for a WasteLocate exemption by a recovery agency should be submitted through the relevant Recovery Committee or Waste and Environment Sub Committee.

Record Keeping

If an exemption from the requirement to use WasteLocate is granted, consignors and transporters must keep records of information outlined in the exemption and it is a condition of any exemption that contractors must provide records to the EPA (including the information set out below), on request.

Asbestos waste records

Waste collection details	Transporter details	Delivery details
<ul style="list-style-type: none"> - Address (Number, Street, Town/Suburb, Postcode) of the premises at which the asbestos waste is collected - Time and date of collection from the premises - Approximate weight of the asbestos waste load in tonnes (t), if not available then cubic meters (m3) 	<ul style="list-style-type: none"> - Name, address and email of transporter - Trading name or agency name of transporter - Australian Company Number and Australian Business Number of the transporter 	<ul style="list-style-type: none"> - Delivery location (premises where load delivered) - Name of the waste facility - Address (Number, Street, Town/Suburb, Postcode) - Time and date of delivery of the load of asbestos waste
Local Government Area	<ul style="list-style-type: none"> - Mobile phone number of the transporter's driver - Driver licence number of transporter's driver - Vehicle registration number of the vehicle and trailer used - SafeWork NSW Licence number of transporter (if held) 	

	- SafeWork NSW Licence number of transporter (if held)	
Note: If a load contains asbestos waste collected from more than one property, the transporter must record the information specified in this Schedule for each property separately.		

Landfill operators (waste disposal facilities) accepting disaster generated asbestos and tyre waste still need to keep the usual records of any asbestos and tyre waste received at their facilities.

The EPA will monitor and inspect activities to ensure there is compliance with exemptions and provide assurance to the community. If any significant issues are identified, the EPA may revoke the exemption and require the use of WasteLocate.

For WasteLocate exemption requirements for tyre waste see [8.9.1](#)

8.6 Public Information

Community members will need a range of information regarding waste management and clean up. As much as possible, this information should be developed in planning and preparation in the form of facts sheets or Frequently Asked Questions with generic documents able to be edited to be situation specific.

The following information should be considered for inclusion:

Potential hazards that might be found on a property following a disaster event, such as:

- Chemicals
 - Gas bottles
 - Solar panels
 - Asbestos
 - Green waste
 - Scrap metal
 - Materials contaminated with pollutants as a result of flood waters
 - Livestock and native animal carcasses
 - Raw sewage from damaged septic sewerage systems
- Make safe arrangements
 - Asbestos sampling/results
 - Hazard Identification Notices
 - Air monitoring
 - When and why is it necessary?
 - Where are the monitoring station locations?
 - Where are the results available?
 - Who is responsible for clean-up?

- Application process for disaster funding
- What is covered by disaster funding?
- Council services
- When will the clean-up start?

The EPA supports the centralisation of all recovery related information for impacted communities. The EPA will provide all waste management and clean-up information on a dedicated disaster recovery page.

8.7 Hazardous Materials

Safety information should be provided to property owners about the potentially hazardous materials that can be found around the home or items that may become hazardous when they have been impacted by a disaster event. Community education and engagement in preparation and planning should be used to minimise potential impacts.

Potential hazards that may be found on residential properties include:

- Asbestos
- Chemicals – household, cleaning, garden and farm chemicals
- Ash from treated timber (copper-chrome-arsenate)
- Solar panels
- Damaged gas bottles
- Ash and dust
- Electrical hazards (including live wires).

Advice on the clean-up and disposal of these items need to be provided to those who are conducting their own clean-up, either because they received an insurance payout, or they did not qualify for a government clean-up through disaster assistance.

Council operated waste facilities should identify what types of hazardous materials they are able to accept (or not) and have this information publicly available in recovery media.

Fire and Rescue NSW (HAZMAT) is the combat agency for identification and rendering safe hazardous materials and should be contacted if their assistance is required. Generally, Fire and Rescue NSW will maintain its membership of Waste and Environment Recovery Committees.

8.8 Landfills

8.8.1 Licences

Local councils must make a written application to the EPA for consideration of any licence variations or exemptions relating to waste facilities. The application must relate to the management of disaster generated waste.

8.8.2 Levies

Waste Levy

The waste levy is required under section 88 of the POEO Act. It is a contribution per tonne of waste received at a facility. The aim of it is to reduce the amount of waste being landfilled and promote recycling and resource recovery. The *regulated area* ([map](#)) that the levy applies to includes the Metropolitan levy area (MLA) and the regional levy area (RLA).

Clause 21(1)(b) of the POEO Waste Regulation allows for waste generated from disaster events to be exempted from the levy. The exemption is applied to Local Government Areas (LGAs) listed in a Notice of Natural Disaster Declaration. These notices are specific to an event and issued by NSW Treasury. Levy exemptions are gazetted and include a start date and an expiry. Extension can be provided on application from the affected local council. The exemption is generally enacted by the EPA as the declaration is made, otherwise application can be made by the affected council to the EPA at waste.levydata@epa.nsw.gov.au.

The waste levy does not apply to waste generated outside the regulated area and disposed to landfill outside the regulated area. The levy does, however, apply to waste disposal to landfill outside of the regulated area where this waste was generated in the regulated area.

Landfill cover levy exemption

The waste levy exemption does not automatically extend to the levy relating to landfill cover. This includes Virgin Excavated Natural Material (VENM) and recovered fines alternative daily cover (s88 of the POEO Act 1997).

Exemption Framework:

- The EPA will publish an emergency exemption order under section 284 of the POEO Act
- The landfill cover levy exemption will apply only to cover for disaster waste from natural disaster declared LGAs
- The landfill cover levy exemption will be time bound
- The landfill cover levy exemption may be extended if necessary, to support community recovery
- The landfill cover levy exemption applies only from the date the emergency exemption order is gazetted
- Only waste disposal facilities (landfills) that have activated the natural disaster waste levy exemption with the EPA's Waste Information team will have access to the landfill cover levy exemption
- The exemption does not remove any other legislative requirements, such as waste facility reporting and waste classification documentation for VENM and specification requirements for recovered fines
- Only recovered fines processed and used in accordance with clause 12(7)(c) of the POEO Waste Regulation can be used as landfill cover at licensed waste disposal facilities.

An exemption from the waste levy holds the expectation that councils will pass on any cost savings to the community through the reduction of gate fees as most landfills are operated by councils.

Record keeping

Requirements for the natural disaster levy exemption record keeping for landfill facilities includes:

- LGA disaster waste generated (evidence natural disaster impacted areas)
- Amount of natural disaster waste received in tonnes by month and waste type

In addition, the landfill levy cover exemption will require records to be kept for:

- Waste type used as cover material ie. VENM or recovered fines

- Amount of cover material received in tonnes
- Date received eg. weighbridge receipt.

Landfills will also be reminded that existing record keeping requirements under the POEO Waste Regulation still stand.

Reporting

Landfills in the [regulated area](#) are required to complete monthly reporting in the EPA waste reporting system (known as WARRP) of:

- Tonnes of cover material received
- Waste type ie. VENM or recovered fines
- Waste stream ie. construction and demolition.

Landfills outside regulated area are required to complete an annual waste report (every 12 months). Any landfills outside the regulated area accepting natural disaster waste from within the regulated area and wanting to claim the levy exemption for landfill cover will be required to complete a monthly report via email that includes the following:

- Tonnes of cover material received
- Material type ie. VENM or recovered fines
- Month received.

Compliance and Assurance

Record keeping is the main tool for tracking the use of the landfill levy cover exemption. An individual numbered exemption will be set up in WARRP allowing the EPA to monitor and report on landfill cover exemption claims.

Landfills accepting natural disaster generated waste are asked to complete a visual assessment of the waste and to record the LGA where the waste was generated.

The amount of landfill cover material used is relative to the size of the tip face at the landfill and the depth the material is applied. Landfill cover depth is impacted by weather conditions and waste types.

The EPA will prepare and implement a compliance assurance program for regional and state-level incidents. Additional compliance activities such as site visits and inspections of landfill operations will be determined by the EPA's [Community Confidence and Assurance Plan](#) .

8.8.3 Temporary storage

Temporary storage facilities provide the opportunity for the processing of reusable and recyclable materials. Ideally, suitable sites have been identified during preparation and planning by the Local/Regional Emergency Management Committee. A suitable site should include the following considerations:

- Environmental and human health controls for establishment and operation. An old waste facility or waste transfer station is likely to already have some controls established
- May hold up to 1000 tonnes or 1000m³ of waste on-site at any one time within the Regulated Area and 2500 tonnes or 2500m³ on-site at any time outside of the Regulated Area (POEO Waste Regulations)

- Resourcing requirements (equipment and personnel) for operation of the facility
- Include WHS requirements
- Confirmation the site is large enough to sort/process and store
- Access for large and multiple vehicle movements
- Air, noise and water management
- Public access for drop offs
- Chemical and hazardous waste storage requirements e.g. asbestos, tyres, drums, liquids
- Time limits for use
- Capacity limits
- Clean up of site to return to its normal use
- High level security ie. fully fenced, lockable and secure.

Compliance and assurance

Temporary storage sites will require planning consultation and EPA exemptions or variations to licence thresholds.

Records will be required for waste types and volumes, and origin of waste.

8.8.4 Emergency cell development

The construction and use of an emergency landfill cell to take waste generated by a disaster will be considered by the EPA only in circumstances where there is a high-level need for additional waste disposal capacity to be constructed as an immediate result of a natural disaster. Relevant planning departments should also be consulted.

The type of waste suitable for disposal in emergency cells includes building and demolition waste being bricks, tiles, fibro, wood, glass, plastic, ash and associated soils. Asbestos waste can also be disposed of in an emergency cell provided suitable management controls are in place.

Liquids, chemicals or materials with a high risk of leaching, metals/chemicals, damaged solar panels, drums of unknown liquids, etc. are not suitable or permitted to be disposed of in an emergency cell.

Considerations for emergency cell development

An emergency cell may firstly require development consent under the Environment and Planning Assessment Act 1979. If an application for emergency cell development is considered and approved, the EPA will provide clear guidance on construction considerations. These will include:

- Siting restrictions
- Cell design
- Final landform
- Final capping requirements.

Waste disposal facilities that construct emergency landfill cells are required to submit a Construction Quality Assurance Report as per the [Environmental Guidelines Solid Waste landfills \(2nd Ed, 2016\)](#) to the EPA upon completion of the cell construction. The report will be

reviewed to ensure the required design and performance specifications have been met. If necessary, input can be sought from EPA technical support in reviewing the Construction Quality Assurance reports. If necessary and appropriate an inspection can be arranged following completion of construction. Any deviation from cell construction specifications in the Guidelines must only occur in consultation with the EPA.

8.8.5 Alternative cover or modified cover

Landfill cover is used as an environmental control at landfills against potential problems such as litter, vermin, leachate generation and odour. All waste disposed of at landfills (including emergency waste) is required to be covered.

Based on an assessment of each situation, the EPA can approve a modified landfill cover approach for asbestos waste that provides safe and efficient disposal of disaster generated waste.

The approach recognises that landfill space is consumed in using cover and that there may be constraints in accessing cover materials in the volumes specified under the Protection of the Environment Operations (Waste) Regulations 2014.

How to access these arrangements

- Landfill managers or operators can contact the EPA by phone on 131 555 or email info@epa.nsw.gov.au or to opt in to the modified cover approach
- The EPA will provide written advice to landfills registering to use the modified asbestos landfill cover approach
- Any proposals for alternative cover materials need to demonstrate the cover arrangements and how the cover meets environmental and human health outcomes
- The EPA will not consider alternative cover proposals to use non-asbestos bushfire waste as landfill cover material in isolation, without VENM also being used
- For landfills with existing alternative cover approvals for asbestos waste, these materials may continue to be used for asbestos waste cover using the approach specified.

On assessment and with approval from SafeWork NSW, the EPA will provide the specified requirements for modified asbestos waste landfill cover use.

NOTE: These arrangements do not change the requirement for all personnel involved in the clean-up, transport and disposal of asbestos contaminated wastes to have documented safe work methods in place and to have the appropriate Personal Protective Equipment (PPE), including respiratory protection, at all necessary times.

8.9 Transport and Tracking

- All waste, including asbestos waste must be covered, sealed and leakproof during transportation to minimise dust, leaks and release of waste.
- A record of transportation must be recorded for each property, including the date, address of the pick-up and drop-off locations, quantity (in tonnes), transporter details and vehicle registration.
- Trucks carrying asbestos in line with WasteLocate requirements should be labelled in case of an accident. This will inform responding emergency service personnel of the potential dangers of the load.
- Waste must be transported to and disposed of at a facility lawfully allowed to accept it.

All requirements under the POEO Waste Regulation in relation to the transport of waste including the tracking and transport of hazardous waste apply, unless the EPA approves an exemption to these arrangements. The EPA will consider any exemption based on its particular circumstances.

8.9.1 Tyre waste

The transport and tracking of tyre waste are components of WasteLocate. A request for exemption from this requirement by an agency participating in Recovery clean-up programs must make the request to the EPA via the Recovery committee or Waste and Environment Subcommittee.

If an exemption is provided, record keeping is still required:

Transporter details per load	Pick up location (premises from which load was collected)	Delivery location (premises where load was delivered) per load
<ul style="list-style-type: none"> - Name, address and email of transporter - Trading name or agency name of transporter - Australian Business Number (if the entity has one) 	<ul style="list-style-type: none"> - Address (Number, Street, Postcode) of the premises at which the tyre waste is collected 	<ul style="list-style-type: none"> - Name of facility (waste facility, landfill) - Address (Number, Street, Suburb, Postcode)
<ul style="list-style-type: none"> - Mobile phone number of the transporter's driver - Driver licence number of transporter's driver 	<ul style="list-style-type: none"> - Local Government Area 	<ul style="list-style-type: none"> - Time and date of delivery of the load - Weight (in kilograms) of waste tyres in the load
<ul style="list-style-type: none"> - Vehicle registration number of the vehicle and trailer used to transport the load 	<ul style="list-style-type: none"> - Time and date of collection from the premises - Approximate weight of waste tyre load in tonnes (t), if not available then cubic metres (m³) 	
<p>Note: If a load contains tyre waste collected from more than one property, the transporter must record the information specified in this Schedule for each property separately.</p>		

Landfill operators (waste disposal facilities) accepting emergency generated asbestos and tyre waste are still required to keep records of any other asbestos and tyre waste received at their facility.

See [8.5.3](#) for Asbestos record keeping requirements

8.10 Cross Border Arrangements

Situations can arise in NSW where it would be best for emergency waste to be transported interstate. This can be in accordance with a regular waste management business arrangement due to local landfill limitation or because a range of circumstances exist, be it safety, economic or environmental considerations or a combination of these, that will determine the best outcome is for disaster waste to be transported across the NSW border.

Disaster generated waste transported inter-state (eg. to Queensland, Victoria and ACT) must go to pre-approved landfill locations and comply with the laws of the receiving state/territory, including payment of applicable fees and levies. The EPA will coordinate and obtain the necessary approval from receiving jurisdictions.

Waste transport certificates must be completed, and appropriate approvals must be obtained from the receiving jurisdiction. NSW EPA can work with its interstate counterparts to reduce administrative barriers for consignment approvals for transport. Any exemption requires interstate approvals (authorisation).

Waste transport certificates will need to include records of date, details of the pick-up and drop-off locations, quantities (in tonnes), transporter details and vehicle registration.

8.11 Green Waste

Green waste can cause biosecurity and weed problems. Stockpiles can smell and spread weeds. Green waste disposed of in landfill generates methane. The preferred disposal is to reuse the resource.

Green waste generated by a disaster event can present significant problems. It can also present opportunities. These include:

- beneficially reuse green waste materials in bushfire-related applications e.g. erosion prevention or natural area rehabilitation
- beneficially reuse green waste materials in situ, eg. mulched and used on site
- fully compost (including achieving pasteurisation) green waste materials at suitable facilities within the affected regions.

Pre-identified temporary storage sites will allow for priority clearing of roadways and public areas for access and removal and processing of large amounts of green waste for reuse.

Fallen branches and trees and other vegetation are critical to habitat regeneration. Consideration should be given to leaving them in place for this purpose.

State and Commonwealth legislation also exists in relation to the removal and clearing of trees and vegetation from the roadside and needs to be considered before clearing. A good guide is the [Managing Roadsides Implementation](#) by the NSW Environmental Trust.

8.12 Scrap Metal

Scrap metal that is not contaminated by asbestos containing material can be recycled. Common steel items that can be recycled include cans, scrap metal from cars, fridges, washing machines, iron bars, roofing iron, metal drums and old metal bins. Contractors for collection can be arranged by the individual or by council. Some melted scrap metal may not be recyclable and will go to landfill.

Large volumes of destroyed and damaged fencing materials present a collection and disposal issue. The removal of destroyed fencing is a key step in the recovery process for landowners. Consideration during clean-up for the separation of fencing wire and posts and other scrap metal materials provides for responsible land clearing and recycling practise and diverts the

materials away from landfill. Clearing fencing waste from land assists in the return of the land to productive use. Proper sorting and collection of scrap metal from rural fencing waste can be directed into the recycled product market.

The EPA will support the NSW Police in record keeping requirements with regarding the disposal of motor vehicles, copper and other metal at scrap metal yards under the *Scrap Metal Industry Act 2016*.

Fencing removal and replacement is typically either done by the landowner or through the assistance of volunteer groups such as BlazeAid (which is provided disaster assistance funding).

8.13 Aboriginal Lands

Disaster waste impacts on Aboriginal lands present significant reputational, environmental, safety and ongoing bushfire hazard risks to land managers. Support and consultation should be provided to Aboriginal landowners, Local Aboriginal Land Councils (LALCs) and communities in the assessment, clean-up, processing and beneficial reuse of disaster waste on Aboriginal lands and the disposal of waste where reuse is not possible.

Aboriginal communities should be contacted and invited to participate on recovery committees including waste and environment sub-committees in order to ensure that arrangements are considerate of desired cultural sensitivities. Planning should include:

- Engagement with landowners and/or Local Aboriginal Land Councils (LALCs) to scope impacts and clean up arrangements
- Engagement of local Aboriginal contractors and inclusion of employment opportunities in clean-up programs
- Clean-up of Aboriginal lands in order to address and/or avoid legacy issues, in particular issues arising from the presence of any hazardous materials and asbestos containing materials on Aboriginal lands following an emergency or disaster.

8.14 Communications

Where a Recovery committee and sub-committees have been established under NSW Recovery Arrangements, waste management activities will be coordinated through the (sub)committees. When a Local Recovery Committee is leading the recovery, Councils should contact the EPA through their Local Emergency Management Committee and make a request for assistance through to the Regional Environmental Services Coordinator.

Where Regional Recovery Committees have been established, councils should coordinate waste management activities and raise related issues through the waste and environment subcommittee. Issues that are beyond the means of the Regional Recovery Committees will be escalated through the waste and environment sub-committee either to the State Waste and Environment subcommittee or the State Environmental Services Functional Area Coordinator.

A communications plan should be developed by sub-committees to establish decision making and issue escalation pathways. The plan should include communications (via recovery committees) between recovery agencies as well as what, how and when information needs to be provided to the community about recovery activities. A recovery communications group from Resilience NSW will usually guide public information communications.

See [Public Information](#) for information that should be made available to impacted communities about waste and clean-up.

8.15 Community assurance

In order to provide confidence to impacted communities and local councils, the broader public and agencies participating in disaster recovery clean-up operations a clean-up and disposal of disaster waste verification plan will be developed and implemented by the EPA where it is deemed appropriate. The purpose of the plan is to outline potential issues that could arise during the clean-up and recommend actions to take to rectify these issues.

Plan objectives will assure that:

- removal of waste from properties and transport to waste disposal facilities is being undertaken in an appropriate and lawful manner
- waste disposal facilities are appropriately and lawfully receiving and disposing of waste and performing to acceptable environmental standards
- resource recovery facilities are operating appropriately and lawfully, and performing to acceptable environmental standards
- community concerns are appropriately identified, and actioned and relevant and timely information is provided to the community
- emerging issues are appropriately identified and actioned e.g. illegal dumping
- clear and open communication between key stakeholders and partners is fostered and maintained during the clean-up process.

Where clean-up activities are being conducted on behalf of the State, the EPA is the appropriate regulatory authority (ARA) for such works under the POEO Act. The EPA therefore has a responsibility to ensure that a clean-up is being undertaken in an environmentally appropriate manner.

Note: Until clean-up works start, or a site is officially in the control of a State government contractor, the local council would be the ARA. Similarly, once the contractor hands back a site to the owner, the local council will again become the ARA.

Where clean-up of properties is conducted through insurance companies and private operators, and not carried out on behalf of the State, the local council will respond to complaints with the EPA's assistance if required.

8.15.1 Inspections

Properties

Site inspections when clean-up is underway is the most appropriate way to confirm that the clean-up and removal of waste is being undertaken in an appropriate manner. The table below illustrates a range of issues that may arise during clean-up and action the EPA should take to confirm that they are being adequately addressed.

Potential issues	EPA confirmation
Dust	Dust management procedures must be in place such as watering down waste. No dust should be leaving the clean-up site.

Noise	Clean-up works should not be carried out at unreasonable times (i.e. early mornings or late evenings). Plant and equipment used for clean-up should be fit for purpose and appropriate noise control equipment fitted.
Asbestos and hazardous waste management	Asbestos is being appropriately loaded into vehicles, vehicles are appropriately sealed following loading, and asbestos air monitoring is being undertaken. Hazardous wastes are identified and removed prior to clean up of other waste.
Runoff	Measures are in place to ensure that runoff is effectively managed at the premises including the installation of sediment and erosion control devices, and that tracking of mud and dirt onto public roads is minimised.

Waste disposal and recycling facilities

Licence conditions will remain in force throughout a disaster recovery clean-up program. Site specific operating arrangements may be put in place, provided prior agreement with the EPA has occurred. All existing environmental controls should be utilised at the facilities. Non-licensed facilities should be assessed and operated in accordance with the relevant sections of the *Protection of the Environment Operations Act 1997*. The below table outlines a range of issues that may arise at waste disposal and recycling facilities. For any issues identified, an appropriate EPA response will be determined in order to have the issue rectified.

Potential issues	EPA confirmation
Dust	Effective dust mitigation measures are in place to manage dust at the premises.
Noise	Effective noise mitigation measures are in place to ensure that offensive noise is not impacting surrounding sensitive receivers, including residences.
Asbestos management	Asbestos is being disposed appropriately.
Daily cover	Approved daily cover is being effectively applied to landfilled waste.
Leachate	An effective leachate management system is installed and being utilised at the premises.
Stormwater	An effective stormwater management system is installed and being utilised at the premises.
Odour	Effective odour mitigation measures are in place to manage odour e.g. daily cover being appropriately applied over landfilled waste.

Waste classification

Appropriate procedures are in place to ensure waste is being appropriately checked and classified prior to disposal.

8.16 Illegal dumping

Disaster events can expose historic illegal dumping sites. A particular risk to human health is the exposure of asbestos containing waste and in the case of fires, friable asbestos waste. Local councils and public land managers should implement temporary measures to reduce the risks of exposure and arrange clean-up and lawful disposal.

Excess fire waste, including waste that is not eligible for disaster funding clean-up programs can lead to new illegal dumps either on public land or private land. At particular risk of succumbing to illegal dumping are property owners who are not insured or have been under-insured and do not qualify for disaster funding assistance. Where possible, local councils should consider preventative measures before an event occurs including applying for Combating Illegal dumping: Clean-up and Prevention Program Grants. Further information on grant programs and the application process is available on the EPA website.

APPENDIX C – Glossary and Abbreviations

Appropriate Regulatory Authority

The EPA is the regulatory authority for the purposes of implementing the POEO Act however a local authority including local councils are deemed to be the appropriate authority to regulate an activity. These are set out in clause 6 of POEO Act.

Combat Agency

Individual agencies are identified [as being responsible for] specific hazards (known as a Combat Agency) and are responsible for controlling the response operations. Controlling the response involves the overall direction of activities being undertaken by participating agencies and individuals. Combat Agencies have specific provisions within their governing legislation to carry out their respective functions. EMPLAN serves as a mechanism to facilitate support to such agencies. (NSW EMPLAN)

Engineering Services Functional Area

Maintains an Engineering Emergency Management capability to support Combat Agencies, other Functional Areas and asset owners to prevent, prepare for, respond to and recover from any event. Provide engineers in support of Combat Agencies in first response Coordinate and direct the provision of engineering resources in response to and recovery from emergencies. (NSW EMPLAN)

Environmental Services Functional Area

Environmental Services Functional Area aims to determine measures necessary to prepare for and aid in preventing incidents/emergencies that may impact on public health and the environment and to facilitate the protection of the environment during emergency response and recovery (NSW EMPLAN). It focuses on the protection of the environment during emergencies and applies throughout New South Wales, including its inland and State waters. (NSW EMPLAN)

Functional Area

A category of services involved in the prevention of, preparations for, response to or recovery from an emergency as defined in NSW Emergency Management Sub Plan. Functional Areas represent key sectors and provide support to Combat Agencies. They conduct planning and preparation on their own initiative in addition to providing support during operations. During operations, their specialist support assists the combat agency to coordinate core activities. (NSW EMPLAN)

Functional Area Coordinator

A Functional Area Coordinator is a State Emergency Management Committee (SEMC) Member who is appointed by Cabinet on the recommendation of the Minister for the sponsoring agency and the Minister for Police and Emergency Services. (NSW EMPLAN)

In this plan means the nominated coordinator of a Functional Area, tasked to coordinate the provision of Functional Area support and resources for emergency response and recovery operations, who, by agreement of Participating and Supporting Organisations within the Functional Area, has the authority to commit the resources of those organisations.

Hazardous Materials

Anything that, when produced, stored, moved, used or otherwise dealt with without adequate safeguards to prevent it from escaping, may cause injury or death or damage to property.

- Incident = An actual or impending land-based hazardous materials spillage or other escape of hazardous material that causes or threatens to cause injury or death, or damage to property.
- Emergency = Any hazardous materials incident which requires a significant and coordinated response. Such emergencies may be land-based or occur on or in the inland waters or marine waters of NSW.

(*Fire and Rescue NSW Brigades Act 1989*)

Incident

In this plan means a localised event, either accidental or deliberate, which may result in death or injury, or damage to property, which requires a normal response from an agency, or agencies. (NSW EMPLAN)

Infrastructure, Waste and Environment Subcommittee

The NSW Recovery Plan is a sub plan of NSW EMPLAN. It provides the arrangements for establishing Recovery committees. This can occur at a Local, Regional or State level depending on the scale of the event and need to recovery operations. A Recovery committee will establish sub-committees based on the recovery environments of social, built, economic and natural environments. A waste and environment sub-committee may be established to coordinate recovery programs in response to the environmental impacts of a disaster event, including clean-up and waste management. An Infrastructure sub-committee can also be established. These sub-committees can be combined depending on need (Recovery Toolkit – supporting document to the Recovery Plan).

Local Emergency Management Committee

Means the committee constituted under the *State Emergency and Rescue Management Act, 1989* for each local government area, and is responsible for the preparation of plans in relation to the prevention of, preparation for, response to and recovery from emergencies in the local government area (Local EMPLAN) for which it is constituted. In the exercise of its functions, any such Committee is responsible to the relevant Region Emergency Management Committee. (SERM Act)

Natural Disaster Declaration

In NSW, the Treasurer is responsible for Natural Disaster Declarations. A declaration is recommended to the Treasurer if an event meets the definition of a Natural Disaster (as defined by the Natural Disaster Relief and Recovery Arrangements (NDRRA)) and it is expected that NSW Government expenditure on specific response and recovery measures for the disaster will exceed the Australian Government's small disaster criterion of \$240,000 and the event causes serious disruption requiring significant coordinated multi-agency and community response (NSW Disaster Assistance Guidelines). Declarations are made by Local Government Area.

NSW Disaster Assistance Guidelines

Supports relief and recovery from disasters and emergencies. The NSW Government provides a range of financial and non-financial assistance measures through the NSW Disaster Assistance Arrangements (the Arrangements). These include assistance for individuals and households, Local Government, non-profit organisations, primary producers and small businesses.

The NSW Disaster Assistance Guidelines describe the Arrangements. The purpose of the Guidelines is to inform the community, business, government, emergency services, councils, functional areas and those working in disaster recovery of the assistance available.

Public Information Functional Area

The Public Information Functional Area is responsible for the co-ordination of public information during an emergency which is under the control of an emergency operations controller, and the development of media and public information strategies, plans and material in support of the State Disaster Plan and agencies when required. (NSW EMPLAN)

Regional Emergency Management Committees

Means the committee constituted under the *State Emergency and Rescue Management Act, 1989* (as amended), which at Region level is responsible for preparing plans in relation to the prevention of, preparation for, response to and recovery from emergencies in the Region (Region DisPlan) for which it is constituted. In the exercise of its functions, any such Committee is responsible to the State Emergency Management Committee. (SERM Act)

Regional Environmental Services Coordinator

Nominated by the State EnvSFAC a Regional EnvSFAC represents the interests of the EnvSFA within the Emergency Management Region. Roles includes:

- Coordinating all Environmental Services technical assistance, advice and support at a regional level
- Representing the EnvSFA on Regional Emergency Management Committees (REMC)
- Participate and facilitate support to emergency management planning, response and recovery within the EM Region in respect of environmental impacts and issues
- Supports environmental planning, response and recovery conducted by Local Emergency Management Committees (LEMC)
- Assists with educating and training stakeholders on the role and functions of the EnvSFA, the EPA and associated Supporting and Participating Organisations within NSW emergency management framework.

State Emergency Operations Controller

The SEOC is a member of the New South Wales Police Force Senior Executive Service, and is responsible for:

- Establishing and controlling a State Emergency Operations Centre (SEOC)
- The control and coordination of emergency response operations at State level, for which the SEOC is the designated Controller or where there is no designated Combat Agency
- Supporting a Combat Agency that is primarily responsible for controlling the response to an emergency or assume control if necessary, to do so

- Provide advice to the Minister regarding emergencies, including whether or not a declaration of a 'State of Emergency' may be necessary.

(NSW EMPLAN)

Abbreviations

ARA | Appropriate Regulatory Authority

ACM | Asbestos contaminated materials

DPI | Department of Primary Industries

EICU | Emergency Information Coordination Unit

EMR | Emergency Management Region

LAA | Licenced asbestos assessor

LALCs | Local Aboriginal Land Councils

LGA | Local Government Area

LLS | Local Land Services

MLA | Metropolitan Levy Area

NACC | NSW Asbestos Coordination Committee

EPA | NSW Environment Protection Authority

PVA | Polyvinyl acetate

POEO Act | Protection of the Environment Operations Act 1997

SEOCN | State Emergency Operations Controller