

Protection of the Environment Operations (Waste) Regulation 2014

Notice of Exemption from Clause 36(3)(d): Use of stored tare weights at facilities whose occupiers are required to install a weighbridge

I, Stephen Beaman, Director Waste and Resource Recovery, Environment Protection Authority, grant an exemption to any occupier of a scheduled waste facility who:

- is required to install a weighbridge under clause 36 (1) of the *Protection of the Environment Operations (Waste) Regulation 2014 (Waste Regulation)*, and
- has a weighbridge installed, verified and operating in accordance with the requirements of clause 36 of the Waste Regulation,

from the requirement to ensure that each vehicle that enters or leaves their facility is weighed by the weighbridge under clause 36 (3) (d) of the Waste Regulation in circumstances where the vehicle entering or leaving the facility has a 'stored tare weight' which the occupier uses to determine the weight of the vehicle, only when:

- (i) an un-laden vehicle leaves the facility, if the vehicle was weighed over the weighbridge on entering the facility;
- (ii) an un-laden vehicle enters the facility, if the vehicle is weighed over the weighbridge on leaving the facility;

"Stored tare weight" means the weight of an un-laden vehicle which has been stored within an electronic software system connected to the scheduled waste facility's weighbridge for the purposes of calculating a net weight of the waste or other material being carried by the vehicle.

"Un-laden vehicle" means a vehicle not carrying any waste or other material.

This exemption is subject to the condition that any occupier to whom this exemption applies must ensure that:

- a) The 'stored tare weight' of the vehicle is reviewed, by the un-laden vehicle travelling over the facility's weighbridge to determine the weight of the vehicle at random intervals not exceeding 12 weeks, and is determined in good faith ('review')
- b) If the facility uses a 'stored tare weight' for a vehicle, the most recently reviewed 'stored tare weight' of the vehicle must be used until the next review.
- c) all information in relation to the relevant entry or departure required under clause 27, 28, 29, 30, 32 or 33 of the Waste Regulation is recorded in accordance with the requirements of the Waste Regulation.
- d) A record of all stored tare weights of each vehicle, together with its registration number, must be retained within the electronic software system for a period of 6 years.

This exemption only applies to Clause 36 (3) (d) of the Waste Regulation and does not exempt any occupier from any other requirements of the Waste Regulation, including any record keeping requirements under Part 3 of the Waste Regulation.

The exemption is granted under clauses 38 and 91 of the Waste Regulation. Words and expressions used in this notice have the same meaning as they have in the *Protection of the Environment Operations Act 1997* and the Waste Regulation.

The exemption takes effect on and from the date that this notice is published in the Government Gazette.

Stephen Beaman
Director, Waste and Resource Recovery
ENVIRONMENT PROTECTION AUTHORITY

(by delegation)