



23 December 2016

Recycling & Recovery

LBL Review
Regulatory Reform and Advice Branch
NSW Environmental Protection Authority
PO Box A290
Sydney South, NSW 1232

Attention: - LBL Review Team,

RE: - Submission of review of the Load-Based Licensing Scheme Issue Paper

SUEZ Recycling and Recovery is writing to provide comment on the review of the Load-Based Licensing Scheme Issues Paper and how this could potential affect our operations.

SUEZ Recycling and Recovery is the holder of twenty six Environment Protection Licences with varied operations such as landfills, transfer stations, organic resource recovery facilities, product destruction, quarantine treatment facilities and advance resource recovery facilities.

None of SUEZ licences have a load based component, therefore we are unable to comment on the effectiveness of the current scheme or any potential improvements outlined within the issue paper.

However, as outlined in **4.2.3 Scheduled activities – are appropriate activities included?**

‘SUEZ does not believe that Option 1, which is to “Extend the LBL Scheme to cover all EPA licences” should be considered as an option for the following reasons;

- Under the Protection of the Environment Operations (Waste) Regulation 2014, a waste contribution levy requires occupiers of ‘scheduled waste facilities’ to pay a fee per tonne of waste entering these facilities which is collected by the EPA. The levy payable is not only designed to increase resource recovery rates and diversion from landfill, it also reflects the indirect costs associated with waste disposal.

SUEZ is already a significant contributor to the states consolidated revenue and the extension the LBL scheme to cover all EPA licensees would appear to be unreasonable.

- The recently introduced EPA Risk Based Licensing scheme rewards good environmental performers and penalises poor environmental performers depending on environmental management category the holder of the environmental protection licence is classified as. A



multiplier to the administrative fee is applied, resulting in a decrease, increase or no change to the licence administrative fee.

- The cost for further monitoring to comply with the Load Based Licences is likely to increase. The existing monitoring requirements for compliance with Environmental Protection Licences are very intensive, especially for landfills. SUEZ is concerned that if the LBL changes are implemented and the threshold limits are too low that the cost of monitoring may significantly exceed those of the actual pollution charges, together with the proposed independent audits, this would significantly increase compliance costs.
- The EPA currently possess the power to penalise all breaches in the Environmental Protection Licence including releases to waterways and into the atmosphere if there are concentration limits applied within the Environmental Protection Licence.

Considering the above information, imposing the Load Based Licencing on all Environmental Protection Licences would increase the cost of operations. This could potentially be passed onto the consumer which could increase the occurrence of other issues for the EPA including illegal dumping, incorrect classification of waste to lower tipping fees etc. Therefore, SUEZ recommends that no change should be made to the types of licences that the LBL applies to (similar to Option 3).

SUEZ has had the opportunity to review the Australian Sustainable Business Group's submission and generally support its recommendations.

Should you require further information on the contents within this letter please contact the undersigned on 0457 560 146.

Yours Sincerely

Phil Carbins
NSW Projects Director