

Container Deposit Scheme - Alternative Waste Treatment Plant Operator Protocol

Frequently Asked Questions

What is the AWT Protocol?

The Alternative Waste Treatment (AWT) Facility Processing Refund Protocol sets out how AWT operators can claim processing refunds under the container deposit scheme for eligible containers they collect.

The Protocol sets out the methodology to be applied in determining amounts payable as processing refunds and requirements for record keeping and auditing.

How is this different from the Material Recovery Facility (MRF) Protocol?

AWTs process red bin waste which is largely made up of non-recyclable materials, including organic waste. MRFs process waste from yellow bins which is largely composed of recyclable materials, including eligible containers. Because the facilities receive and process waste in different ways, separate protocols and means for calculating the eligible container factor are required.

Will AWTs need to change the operations at our facilities to participate?

The draft Protocol has been published with the intention of adapting it based on operations and feedback from industry. While overall the Protocol is intended to apply to existing AWT operations, some small changes may need to be made at your AWT in order to correctly measure and record inputs and outputs. It will be up to each AWT to decide which

method they will use (weighing or direct counting) to determine the number of eligible containers claimable and therefore whether a change in sorting operations is required.

Can AWTs claim from start of the scheme?

No. Claims can only be made from when the relevant protocol is formally gazetted and operational. The AWT is eligible to claim refunds on the basis that a refund sharing agreement is in place with the councils the AWT operator services.

AWTs can start to claim refunds for materials processed in Quarter 2, 2019.

Why can AWTs only claim for two waste streams?

AWT data gathered by the NSW Environment Protection Authority (EPA) indicates that Aluminium and Mixed Plastics are the streams most likely to produce material that is recoverable for recycling and thus be claimable under the scheme.

How much will sampling cost for AWTs?

Sampling costs will be dependent upon the Sampling Strategy and Plan. The Sampling Strategy will balance the need for transparency and accuracy to ensure confidence in the claims made under the Protocol, alongside the need for a cost-efficient sampling regime. The EPA will work with the data and information provided by AWTs to assess the appropriate level of sampling required.

When will AWTs start to receive refunds?

Claims for refunds may be made by lodging a processing refund claim within 28 days of the end of the quarter. The Scheme Coordinator then has 55 days to assess the claims and make payments to AWT operators.

Applications are able to be made starting from Quarter 2, 2019, as relates to eligible materials that are recycled throughout this quarter. Payments are based on the container factors, calculated according to the Sampling Plan.

Do AWTs need to do anything to be eligible to claim?

From 1 December 2018 AWTs, like MRFs, will not be eligible to claim refunds unless one of the requirements under clause 18 of the Regulations has been satisfied. This includes notification from supplier councils that a Refund Sharing Agreement (RSA) is in force that the council considers to be fair and reasonable; council and AWT may agree that no refund sharing agreement is required; or a new processing agreement has been entered into since 1 December 2017.

To assist councils in notifying the EPA, there is a [Refund Sharing Agreement – EPA Notification Form](#) available on the EPA website.

Do AWTs need a Refund Sharing Agreement with the councils they service in order to claim?

One of the three options under clause 18 of the Regulation must be satisfied, in order for AWTs to be able to claim from the start of the Protocol. This may be a refund sharing agreement with supplier councils.

Are councils and AWTs able to enter into short-term Refund Sharing Agreements?

Yes, councils and AWTs can enter into a short-term agreement.

Where a council notifies the EPA of a “short-term” RSA, the notification will remain in force until the expiry date of the short-term agreement. Before the expiry of any such agreement the council may choose to enter into another RSA, including a short-term agreement, and must notify the EPA of the new arrangements to ensure that the AWT is able to claim refunds for eligible containers collected from that council area.

If a new agreement is not made at the end of the short-term agreement and none of the other conditions are met, then the AWT will cease to be eligible to claim refunds.

References

Refund Sharing Agreement – EPA Notification Form is available at www.epa.nsw.gov.au/your-environment/recycling-and-reuse/return-and-earn/material-recovery-facility-operator/refund-sharing-agreement-notification

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