



Resource Recovery Order under Part 9, Clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014

The processed animal waste order 2014

Introduction

This order, issued by the Environment Protection Authority (EPA) under clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014 (Waste Regulation), imposes the requirements that must be met by suppliers of processed animal waste to which 'the processed animal waste exemption 2014' applies. The requirements in this order apply in relation to the supply of processed animal waste for application to land as a soil amendment.

1. Waste to which this order applies

- 1.1. This order applies to processed animal waste. In this order, processed animal waste means animal waste that has been processed into meal, fish emulsion or fish hydrolysate.

2. Persons to whom this order applies

- 2.1. The requirements in this order apply, as relevant, to any person who supplies processed animal waste that has been generated, processed or recovered by the person.
- 2.2. This order does not apply to the supply of processed animal waste to a consumer for land application at a premises for which the consumer holds a licence under the POEO Act that authorises the carrying out of the scheduled activities on the premises under clause 39 'waste disposal (application to land)' or clause 40 'waste disposal (thermal treatment)' of Schedule 1 of the POEO Act.

3. Duration

- 3.1. This order commences on 24 November 2014 and is valid until revoked by the EPA by notice published in the Government Gazette.

4. Definitions

In this order:

animal waste means dead animals or animal parts and any mixture of dead animals and animal parts.

application or apply to land means applying to land by:

- spraying, spreading or depositing on the land; or
- ploughing, injecting or mixing into the land; or
- filling, raising, reclaiming or contouring the land.

consumer means a person who applies, or intends to apply, processed animal waste to land .

fish emulsion means the liquid produced from the heat treatment of animal waste from fishery industries.

fish hydrolysate means the liquid produced from the hydrolysis and/or enzymatic breakdown of animal waste from fishery industries.

heat treatment means the process of heating the animal waste at temperatures and for times which, in combination, are sufficient to destroy pathogenic micro-organisms.

meal means defatted and dried solid product from rendering animal waste after milling, including but is not restricted to meat and bone meal, poultry meal, fish meal and blood meal.

processor means a person who processes, mixes, blends, or otherwise incorporates processed animal waste into a material in its final form for supply to a consumer.

rendering means the heat treatment of animal waste to remove moisture and/or liberate fat.

transaction means:

- in the case of a one-off supply, the supply of a batch, truckload or stockpile of processed animal waste that is not repeated.
- in the case where the supplier has an arrangement with the recipient for more than one supply of processed animal waste, the first supply of processed animal waste as required under the arrangement.

**Manager Waste Strategy and Innovation
Environment Protection Authority
(by delegation)**

Notes

The EPA may amend or revoke this order at any time. It is the responsibility of each of the generator and processor to ensure it complies with all relevant requirements of the most current order. The current version of this order will be available on www.epa.nsw.gov.au

In gazetting or otherwise issuing this order, the EPA is not in any way endorsing the supply or use of this substance or guaranteeing that the substance will confer benefit.

The conditions set out in this order are designed to minimise the risk of potential harm to the environment, human health or agriculture, although neither this order nor the accompanying exemption guarantee that the environment, human health or agriculture will not be harmed.

Any person or entity which supplies processed animal waste should assess whether the material is fit for the purpose the material is proposed to be used for, and whether this use may cause harm. The supplier may need to seek expert engineering or technical advice.

Regardless of any exemption or order provided by the EPA, the person who causes or permits the application of the substance to land must ensure that the action is lawful and consistent with any other legislative requirements including, if applicable, any development consent(s) for managing operations on the site(s).

The supply of processed animal waste remains subject to other relevant environmental regulations in the POEO Act and Waste Regulation. For example, a person who pollutes land (s. 142A) or water (s. 120), or causes air pollution through the emission of odours (s. 126), or does not meet the special requirements for asbestos waste (Part 7 of the Waste Regulation), regardless of this order, is guilty of an offence and subject to prosecution.

This order does not alter the requirements of any other relevant legislation that must be met in supplying this material, including for example, the need to prepare a Safety Data Sheet.

Failure to comply with the conditions of this order constitutes an offence under clause 93 of the Waste Regulation.