

Immobilised Contaminants Approval

Pursuant to Part 10 of the *Protection of the Environment Operations (Waste) Regulation 2014* (Waste Regulation), the New South Wales Environment Protection Authority (EPA) has granted the following Immobilised Contaminants Approval.

A) Approval Number

2020/01

B) Duration of Approval

This Approval is valid until 18 January 2029 unless sooner amended or revoked.

C) Waste to which this Approval applies

This Approval applies to metallurgical furnace flue dust or excavated soil that contains metallurgical furnace flue dust that is located at residential premises inside the Pasminco Lead Abatement Strategy (LAS) Area at Cockle Creek, NSW 2284 (Annexure A – Map of Pasminco Lead Abatement Strategy Area).

This Approval **does not** apply to metallurgical furnace slag or metallurgical slag contaminated excavated materials (Annexure B – Metallurgical slag and metallurgical slag impacted soil). Metallurgical slag waste or metallurgical slag impacted excavated soil must be assessed on a case by case basis via a specific Immobilised Contaminants Approval.

D) Contaminants to which this Approval applies

This Approval applies to the following contaminants:

- Arsenic (As)
- Beryllium (Be)
- Hexavalent chromium (Cr(VI))
- Lead (Pb)
- Nickel (Ni)

E) Responsible Person

The person or class of persons to whom this Immobilised Contaminants Approval is granted are the persons who generate the waste to which this Approval applies. Responsible persons must comply with the conditions of this Approval.

F) Mechanism of immobilisation

Waste subject to this Approval is considered naturally immobilised.

G) Conditions of Approval

- **Packaging requirements**

Dusty materials must be bagged or drummed or otherwise contained to avoid dust generation during handling.

Excavated materials contaminated by metallurgical furnace flue dust should be handled, packaged and transported with the appropriate health, safety and environmental controls to prevent or minimise human and environmental exposure to the materials, or cross contamination.

- **Waste assessment requirements**

For waste subject to this Approval, no further analytical assessment is required. The naturally immobilised Pasminco furnace flue dust waste has been classified as general solid waste (non-putrescible) based on the total and leachable concentrations of the contaminants referred to in Part D of this Approval.

Note: Any contaminants listed in Tables 1 and 2 of the Waste Classification Guidelines (other than those referred to in part D of this Approval) that are contained within the naturally immobilised Pasminco furnace flue dust waste must be assessed in accordance with the Waste Classification Guidelines.

- **Disposal restrictions**

A waste facility receiving waste subject to this Approval must be legally able to receive such waste.

Naturally immobilised Pasminco furnace flue dust waste may only be disposed of at solid waste landfills that have currently operating leachate management systems, and which are licensed to receive that particular class of waste, and that have licence conditions to receive waste subject to immobilisation approvals with this type of disposal restriction.

- **Waste Management Requirements**

The responsible person should ensure the landfill is permitted by conditions in its Environment Protection Licence to receive waste subject to an immobilisation approval.

- **Waste tracking and notification requirements**

The responsible person must ensure a designated waste certificate is given to the receiving facility in relation to the waste.

Note: A separate waste tracking exemption has been granted by the EPA in relation this waste.

The responsible person is required to keep records of the management and disposal of excavated materials which are not classified as general solid waste (non-putrescible) for a period of at least 3 years from the date on which the waste is disposed of off-site.

H) Definitions

In this Approval:

Waste Classification Guidelines means the Waste Classification Guidelines Part 1: Classifying Waste (November 2014) published by the EPA and available at www.epa.nsw.gov.au



David Gathercole
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By Delegation
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Date: 20 December 2024



Annexure A – Map of Pasmenco Lead Abatement Strategy Area



Annexure B – Metallurgical slag on soil surface (top), as in-fill below topsoil (bottom left) and zoomed metallurgical slag on soil surface impacted soil (bottom right)

While metallurgical slag has been observed at ground level, it is more common as in-fill material located 150-200 mm below ground level with a layer thickness up to about 200 mm. Metallurgical slag is discernible from flue dust by its black colour. Slag impacted soil will have a black colouration associated with it rather than an ordinary brown appearance of flue dust impacted soil.