Coal Washery Rejects Levy

Mark Gorta
Department of Environment and Climate Change, NSW
Outline

- Pre April 08 situation
- Waste reforms April 2008
- Mini-budget reforms December 2008
- CWR Levy mechanics
- Who is affected?
- Exemption mechanics
- Further information
Pre April 2008

• Environment Protection Licence (EPL) required where more than 20,000 tonnes of CWR received from off-site per year:
  - licence authorised “CWR landfilling” as scheduled/other activity

• No EPL required for:
  - monofilling of CWR on-site
  - CWR used in road / rail construction
  - less than 20,000 tonnes received p.a.

• No levy was payable where CWR only disposed, or in combination with slags and/or Virgin Excavated Natural Material
April 2008 waste reforms

- CWR exemptions from licensing removed
- EP Licence now required where any amount of CWR is received and applied to land unless covered by an exemption
- Schedule 1 Protection of the Environment Operations Act - waste disposal (application to land)
- Licence conversion process
- CWR disposal only was then still exempt from levy
CWR levy

- Govt mini-budget announced November 08
- Coal washery rejects:
  - means the waste resulting from washing coal (including substances such as coal fines, soil, sand and rock resulting from that process).
- CWR levy of $15 per tonne, adjusted each year with CPI
- Apply from 1 November 2009 to CWR received from offsite
- Administered under Section 88 of the POEO Act
- Waste facility required to be licensed
Who will be subject to CWR levy?

• Mines that land apply CWR received from off-site
  - e.g. mines who send raw coal off-site for washing and receive their rejects back for emplacement
  - e.g. mines that receive CWR from other mines

• Coal washery emplacements that receive waste from off-site

• New developments that receive CWR from off-site for ‘fill’ etc

• UNLESS EXEMPTED
Who will not be subject to CWR levy?

• Mines that have a coal washery/preparation plant on-site
  - and the CWR is generated and disposed of on-site

• Activities that are exempted

• Facilities that receive other kinds of waste for disposal (the full Waste and Environment Levy may still apply)
Why have a levy

• Purpose of these levies is to change behaviour
• From waste disposal to resource recovery
• Price on waste disposal = incentive to avoid disposal
• Encourages alternative re-use opportunities
• However, not all re-use is appropriate or valid
What kind of re-use will DECC exempt from the CWR levy?

- DECC *may* exempt a person/s from the CWR levy
- Utilise existing resource recovery framework (cl.51A)
- Assessment on a case by case basis
- Re-use may include
  - mine rehabilitation
  - engineering fill
  - road / rail construction
Further Information

- Guidance Note to be provided
- Work with industry during transition
- Contact:
  - **Mark Gorta** - Manager Waste Management, Department of Environment and Climate Change, (02) 9995 5649