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Environment Protection Act 2017

NOTICE OF MAKING OF A DETERMINATION IN ACCORDANCE WITH REGULATION 5(5) OF THE ENVIRONMENT PROTECTION REGULATIONS 2021.

Determination of the Authority Regulation 5(3)(a) of the Environment Protection Regulations 2021
EPA Determination – Specifications Acceptable to the Authority for
Receiving Livestock Manure and Effluent

1. Citation

This Regulation 5(3)(a) determination is 02 of 2021 and may be cited as: EPA Determination – Specifications for receiving livestock manure and effluent.

2. Summary

This determination is made by the Environment Protection Authority (Authority) under Regulation 5(3)(a) of the Environment Protection Regulations 2021 (Regulations). It specifies when a person, place or premises is authorised to receive industrial waste that is livestock manure and/or effluent for the purposes of Regulation 63(b) of the Regulations.

The effect of this determination is that if industrial waste that is livestock manure, effluent or a mixture of both is received at a place or premises in accordance with the specifications set out in this determination, then that place or premises is authorised to receive that industrial waste.

3. Definitions

In this determination, words or phrases have the same meaning as in the **Environment Protection Act 2017** (the Act) and the Regulations unless otherwise specified, and –

effluent means livestock faecal matter in liquid form, and wastewater from collection or treatment systems that are ancillary to livestock management;

generating site means the site at which the livestock manure and/or effluent were generated;

livestock manure and effluent means any of the following –

- (a) faecal matter generated by livestock;
- (b) any mixture of livestock faecal matter and biodegradable animal bedding such as straw or sawdust;
- (c) effluent;

receiving site means the place or premises which receives, or will receive, the livestock manure and/or effluent;

soil amendment means any material such as lime, gypsum, sawdust, compost, animal manures, crop residue or synthetic soil conditioners that is worked into the soil or applied on the surface to enhance plant growth;

waste generator means the person in management or control of the generating site;

waste receiver means the person in management or control of the receiving site.

4. Application

- (1) This determination applies to industrial waste that is livestock manure, effluent or any mixture of the two.
- (2) This determination does not apply to –
 - (a) any activity that requires a permission (as defined in section 3 of the Act); and
 - (b) manure received in accordance with Regulation 63(d) of the Regulations.

SPECIAL

5. Specifications

For the purposes of Regulation 63(b) of the Regulations, a person, place or premises is authorised to receive industrial waste that is livestock manure, effluent or a mixture of both if all the conditions in Clause 6 of this determination are satisfied.

6. Conditions

- (1) The waste receiver must inspect each consignment of industrial waste when received at the receiving site and confirm the consignment only contains livestock manure, effluent or a mixture of both.
- (2) The waste receiver must only accept the livestock manure, effluent or mixture of both for the purposes of depositing the waste to land –
 - (a) as a soil amendment; or
 - (b) for irrigation.

7. Duration

This determination commences on 1 July 2021 and remains in effect until the revocation of the Regulations, unless earlier revoked by the Authority.

8. Notes

- (1) Industrial waste is defined in section 3 of the Act and includes waste arising from commercial, industrial or trade activities (which would include waste produced during primary production activities).
 - (2) The Authority may amend or repeal this determination by way of written notice published in the Government Gazette.
 - (3) This determination does not satisfy, alter or remove any requirement under the Act, except to the extent the determination expressly states otherwise.
 - (4) This determination and others can be found on the Authority's website: www.epa.vic.gov.au
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658 Church Street,
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Telephone

(03) 8523 4601

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