***Waste Reduction and Recycling Act 2011***

Approval of waste as exempt waste – Earth contaminated with a hazardous contaminant

This form must be used for making an application to the chief executive1 for approval of waste as exempt waste under section 28 of the Waste Reduction and Recycling Act 2011 (the Act).

Under section 29 of the Act the chief executive may require additional information or documents to be given. Should this be the case, the department will send the applicant an information notice requesting that information or documents be given by a stated date. Under the Act, failure to provide the requested additional information by the stated date will result in the application being taken to be withdrawn unless an extension of time is agreed upon.

*When completing this form, it is recommended that applicants read the information regarding exempt waste applications and the waste levy on the Queensland Government’s website at www.qld.gov.au/wastedisposallevy. This information will assist the applicant in identifying any fees and supporting information that may be needed for the application.*

1. **Applicant details**

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| NAME OF COMPANY/ORGANISATION/PERSON       |
| TRADING NAME (if applicable)        |
| ABN/ACN (if applicable)       |
| CHIEF EXECUTIVE OF COMPANY/ORGANISATION/PERSON (if applicable)       |
| REGISTERED OFFICE ADDRESS (not a post office box)      |
| SUBURB       | POSTCODE       |
| POSTAL ADDRESS (if different from above)      |
| SUBURB       | POSTCODE       |
| OFFICE MAIN PHONE       |
| EMAIL OF ENTITY (if applicable)       |
| If the site has an existing Environmental Authority (EA), please provide the EA number        |

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| CONTACT PERSON FOR APPLICATION      |
| POSITION       |
| PHONE       | MOBILE       |
| EMAIL       |

How would you like to receive correspondence from the department?

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| [ ]  To your nominated email addresses above | [ ]  Mailed to your postal address above |

1. **Eligibility criteria**

Please provide the site address (including the Lot and Plan details) and the environmental management register/contaminated land register site ID reference. *<NOTE: In order to be eligible, the earth containing the hazardous contaminant must be from land recorded in the environmental management register or contaminated land register.>*

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Is the earth contaminated by a *hazardous contaminant* within the definition in schedule 4 of the *Environmental Protection Act 1994*? *<NOTE: If you answer ‘No’ to this question, please do not continue with the application. If you need assistance, contact the department on the contact details at the end of this form.>*

[ ]  Yes [ ]  No

*Definition–hazardous contaminant means a contaminant, other than an item of explosive ordnance, that, if improperly treated, stored, disposed of or otherwise managed, is likely to cause serious or material environmental harm because of: – (a) Its quantity, concentration, acute or chronic toxic effects, carcinogenicity, teratogenicity, mutagenicity, corrosiveness, explosiveness, radioactivity or flammability; or (b) Its physical, chemical or infectious characteristics.*

Please provide details of the hazardous contaminant (including the sampling plan and results of the soil tests undertaken for the stockpile(s). You may use the results from the soil test undertaken as part of your Soil Disposal Permit application).

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Is the earth contaminated solely with petroleum hydrocarbons, if analysed in accordance with the National Environment Protection Council ‘*Schedule B(3) – Guideline on laboratory analysis of potentially contaminated soils’*? *<NOTE: Answering ‘Yes’ to this question may result in the refusal of the application. Please refer to section 10 of the Waste Reduction and Recycling Regulation 2023.>*

[ ]  Yes [ ]  No

Please provide details.

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Does the contaminated earth contain only contaminants that can be reasonably treated by bioremediation and made suitable for any use? *<NOTE: Answering ‘Yes’ to this question may result in the refusal of the application. Please refer to section 10 of the Waste Reduction and Recycling Regulation 2023.>*

[ ]  Yes [ ]  No

Please provide details.

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*<NOTE: In order to be eligible, you must answer ‘Yes’ to one of the following three questions. Please refer to section 10 of the Waste Reduction and Recycling Regulation 2023. If you need assistance, contact the department on the contact details at the end of this form.>*

Was the earth contaminated before 1 January 1992?

[ ]  Yes [ ]  No

Please provide details.

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Does the earth contaminated with a hazardous contaminant contain waste that has been removed from a landfill cell that is to be delivered to a levyable waste disposal site as part of a significant community project?

[ ]  Yes [ ]  No

*Definition–significant community project means a project the chief executive considers has an aesthetic, conservation, cultural or economic benefit to a local or regional community or the State, including, for example, the following – (a) a project that serves an essential need of the community; Examples – school, sporting field (b) a project that significantly improves the community’s access to services:. Examples – hospital, State or local government library, museum.*

Please provide details.

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Does the earth contaminated with a hazardous contaminant contain waste:

* that was disposed to landfill before 1 January 1992 (whether or not disposal continued after that time) at land recorded on the environmental management register or contaminated land register, ***AND***
* is to be removed from the land by or for a local government and delivered to a levyable waste disposal site –
* solely for the purpose of remediating contamination; or
* for the purpose of conducting or operating a resource recovery or transfer facility on the land and waste will no longer be disposed of as landfill at the land?

[ ]  Yes [ ]  No

Please provide details.

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Please indicate if further supporting information has been attached. [ ]

1. **Waste disposal details**

Please provide the soil disposal permit number granted under the *Environmental Protection Act 1994. <NOTE: Please provide attachments to address questions where appropriate.>*

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Please indicate the waste disposal site/s, including site name and address, where the waste will be disposed.

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Exemption period sought: <NOTE: The period of approval cannot be more than three years.>

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| FROM: (DD/MM/YYYY)      | TO: (DD/MM/YYYY)      |

Quantity of waste in tonnes requested to be exempt waste over the exemption period: *<NOTE: This will be used to set the maximum amount of exempt waste approved over the exemption period.>*

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| QUANTITY (PLEASE INCLUDE HOW THE QUANTITY WAS ESTIMATED OR ARRIVED AT).      |

1. **Application fees**

Please indicate the method of payment that has been undertaken for this application*. <NOTE: Refer to Schedule 12 of the Waste Reduction and Recycling Regulation 2023 for fee amounts.>*

[ ]  BPoint (Note: Credit card details cannot be accepted by the department via email). Visit the Queensland Government webpage to find out how to pay for application fees via BPoint: <https://www.qld.gov.au/environment/pollution/management/waste/recovery/disposal-levy/applications>)

Please contact the department at wastelevyapps@des.qld.gov.au if alternate payment method is required.

1. **Declaration**

*<NOTE: This section is to be completed by the person authorised to sign this application on behalf of the applicant. If you have provided false or misleading information in this application, you may be liable for prosecution under the Act.>*

* I declare that the information I have provided is true and correct.
* I understand that it is an offence under the *Waste Reduction and Recycling Act 2011* to give information that I know is false, misleading or incomplete.
* I acknowledge that the chief executive may cancel or amend an approved waste levy exemption in accordance with s34 of the *Waste Reduction and Recycling Act 2011*. This includes where granting of the approval was based on incorrect information, where the original circumstances to the granting of the approval have changed and where the approval has not been complied with.

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| FULL NAME      | POSITION      |
| SIGNATURE | DATE      |

1. **Applicant checklist**

[ ]  Application form completed and signed.

[ ]  Fees paid or enclosed.

[ ]  Supporting information attached (if applicable).

**Please submit this completed application form and supporting information to:**

**Email:** **wastelevyapps@des.qld.gov.au**

The email subject line should state ‘Exempt waste application – earth contaminated with a hazardous contaminant’. The file size limit for submission via email is 20MB. Any submission via email which exceeds 20MB will need to be broken down into separate emails, with each email subject line clearly stating ‘Part X of X’ (e.g. Part 1 of 2).

If needed, please contact Levy Services at **wastelevyapps@des.qld.gov.au**

**Privacy statement**

The Department of Environment, Science and Innovation is committed to protecting the privacy, accuracy and security of your personal information in accordance with the *Information Privacy Act 2009*. The department is collecting your personal information in this form in order to determine what information is available and respond to your request. The information will only be accessed by authorised employees within the department. Your information will not be given to any other person or agency unless you have given us permission or we are authorised or required by law. All information supplied on this form may be disclosed publicly in accordance with the *Right to Information Act 2009* and *Evidence Act 1977*. For queries about privacy matters email: privacy@des.qld.gov.au or telephone: 13 74 68.