

12. DRAFT LANDFILL CLASSIFICATION SYSTEM AND WASTE ACCEPTANCE CRITERIA

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The purpose of this report is to inform the Council of the feedback the Solid Waste Section of the City Water and Waste Unit proposes to provide the Ministry for the Environment (MfE) regarding the proposed national waste acceptance criteria and landfill classification system.

BACKGROUND

The Ministry for the Environment has proposed a national approach to solid waste landfill waste acceptance criteria, a landfill classification system and model resource consent conditions. The Ministry is requesting comments on its draft best-practice guidelines.

The Ministry proposes:

- A national approach for controlling the disposing of wastes, to overcome the current regional inconsistencies;
- A landfill classification system, in which Class A landfills are those that are consistent with best practice site selection and design standards that reduce potential adverse environmental impacts and Class B landfills are those which do not meet Class A siting and design standards and therefore pose a greater risk to the environment;
- That Class B landfills, which meet a lower standard of environmental protection than Class A landfills, be subject to more stringent waste acceptance criteria than Class A landfills. The waste acceptance criteria for Class B landfills have been set an order of magnitude lower than those for Class A landfills ie one tenth of the class A standards;
- A suite of three 'tools' for determining whether waste is acceptable for disposal; the wastes designated as hazardous on the New Zealand Waste List, total concentrations of contaminants, and toxicity characteristic leaching procedure (TCLP) criteria (a test that indicates the potential for contaminants to leach out of the waste); and
- A list of prohibited wastes.

At this stage the intention is that the guidelines would become one of the National Environmental Standards at some time in the future, but there is no firm timetable for this move.

SUMMARY OF COMMENTS

Landfill Classification

The full text of comments is included in Attachment 1. Staff concur that a consistent nationwide approach is needed for the classification of landfills, resource consent conditions, and waste acceptance criteria.

The proposed landfill classification system recognises the need to articulate consistent, environmental protective requirements for any new solid waste landfill, to discriminate modern landfills that are sited and designed to those requirements from older existing landfills that pose a greater risk to the environment, and to impose more stringent waste acceptance criteria on those landfills with a lesser degree of environmental protection.

The approach that the Ministry has taken to subject Class B landfills to a more stringent set of waste acceptance criteria than those set for Class A landfills is a rational one given that Class B landfills lack the engineering and/or siting controls required of Class A landfills. However, while it is implied that any new landfills would meet the Class A standard through the consent process, the Ministry does not propose a mandatory requirement that all new landfills conform to the Class A criteria. In addition, there is no discussion of an approach to mitigate environmental risks from existing Class B landfills other than to propose more stringent waste acceptance criteria for them. The Council recommends that the Ministry consider further measures to reduce the environmental effects from Class B landfills, such as requiring the installation of additional engineering controls (eg., leachate collection and treatment systems; landfill gas extraction systems; etc) and/or a programmed closure of landfills that do not meet a minimum set of environmental protection criteria.

A ten year time frame is considered appropriate. However, such additional measures may carry little weight given that these are simply guidelines and not standards at this stage

Waste Acceptance Lists

One of the tools the Ministry has proposed for waste acceptance determinations is the New Zealand Waste List, which is still in draft. The list is quite lengthy, consisting of over 800 specific waste streams arranged in 20 major groupings based on industry or process types. The Ministry proposes to require wastes destined for both classes of landfills to be compared to those wastes in the New Zealand Waste List that are marked with an asterisk. Wastes destined for Class B landfills must also be compared to those wastes on the New Zealand Waste List that are described as liquids, oils, solvents, acids and alkalis. This is a cumbersome process as it currently stands. In addition, the New Zealand Waste List was not originally designed to be used as a basis for waste acceptance decisions at landfills. Given these issues, the Ministry needs to review the system to make it more readily workable.

Contaminant Concentrations and TCLP Criteria

The other two proposed tools for determining whether a waste is acceptable for disposal are the total contaminant concentrations and TCLP criteria, which the Ministry claims cover a greater range of contaminants than those specified in the US Environmental Protection Agency (USEPA) and New South Wales Environmental Protection Agency (NSWEPA) TCLP lists. However, the Ministry's proposed waste acceptance list using these two tools is missing more than half the contaminants on the USEPA and NSWEPA lists. The Ministry's list should at a minimum include the contaminants on the USEPA and NSWEPA TCLP lists. In addition, the Ministry should evaluate the inclusion of other waste acceptance criteria.

Prohibited Wastes

The prohibited wastes list should be evaluated further. For example, persistent organic pollutants should be considered to bring the guidelines in line with other national environmental policies.

Timeframe for Guidelines

The draft waste acceptance criteria and landfill classification system are only guidelines. As such there may be little incentive for the waste management sector to implement the Ministry's proposed best practices. The Ministry should therefore develop a timetable for moving the finalised guidelines into National Environmental Standards.

SUMMARY

This report comments on the MfE's proposed draft guidelines for landfill classification and waste acceptance. It is proposed to submit these comments formally to the MfE. Note that this submission has included liaison with Environmental Services Unit staff (in particular Klaus Prusas, Team Leader Environmental Effects).

Recommendation: That the Council's comments on the draft landfill classification and waste acceptance guidelines be submitted to the Ministry for the Environment, with particular emphasis on the recommendation for a phasing out of Class B landfills within a ten year period, and the need to move beyond guidelines to National Environmental Standards for landfills.