

# virgin excavated natural material **VENM classification**

**Information for suppliers or generators of excavated material to classify material as virgin excavated natural material (VENM).**

**ballina**  
shire council

Ballina Resource Recovery Centre is licensed to accept general solid waste only. No asbestos or asbestos impacted material is accepted at this facility. Penalties of up to \$7,500 apply for disposal of soil or waste containing asbestos.

## »» **What is virgin excavated natural material?**

VENM is defined as natural material (such as clay, gravel, sand, soil or rock fines):

1. that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities and
2. that does not contain any sulfidic ores or soils or any other waste.

and includes excavated natural material that meet such criteria as may be approved by the NSW EPA.

## »» **Waste classification**

All waste must comply with the general solid waste requirements of the NSW EPA Waste Classification Guidelines Part 1: Classifying waste (<https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste>). Waste generators are to follow the steps outlined in this guideline until the waste classification has been established under a particular step.

VENM is preclassified as general solid waste (non-putrescible). For more information see <http://www.epa.nsw.gov.au/waste/virgin-material.htm>.

## »» **How do I classify my excavated material as VENM?**

Excavated material must meet all aspects of the above definition to be classified as VENM. Generators of excavated material must consider the following questions to determine if the soil is VENM.

## »» **Has the soil been contaminated by land use activities?**

Generators of VENM must consider if past and present land use activities on the site could contaminate the excavated material. This also includes impact from offsite sources such as contaminated groundwater.

A material can only be classified as VENM if it has been excavated from an area that is not contaminated with manufactured chemicals or process residues as a result of industrial, commercial, mining or agricultural activities.

Land uses that could result in contaminants being present in an excavated material include the items in the box below:

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation

## »» *Is the site identified within high risk probability area for acid sulfate soils?*

VENM cannot contain sulfidic ores or soils.

Acid Sulfate Soil Risk Maps have been mapped across the state to determine the probability of acid sulfate soils. The Acid Sulfate Soil Risk Maps are available on the CSIRO website (<http://www.asris.csiro.au/mapping/viewer.htm>).

If the site is identified as being a high risk probability of occurrence of potential or acid sulfate soils it will require laboratory testing before it can be classified as VENM.

## »» *Does the material contain any form of asbestos (naturally occurring or otherwise)*

The waste cannot be classified as VENM if it contains naturally occurring asbestos soils. There are no identified naturally occurring asbestos locations within Ballina Shire or any of the adjoining Council areas. However, by definition, VENM cannot contain any other waste including asbestos waste.

## »» *Is there any other waste present or has the material been processed?*

VENM cannot contain any other waste, or be 'made' from processed soils. Excavated material that has been processed in any way (such as by adding lime to acid sulfate soils) cannot be classified as VENM.

## »» *Do I need to sample and test the soil?*

Only if the source of the material is identified as being a high risk probability of being potential or acid sulfate soils. Laboratory testing for acid sulfate soils is then required. This may already be required under a DA condition.

## »» *What do I need to do to dispose of VENM at the Ballina Landfill?*

As a minimum, the following steps must be followed before Council can accept material self classified as VENM:

A copy of the signed NSW EPA approved VENM certificate (attached to this fact sheet) must be forwarded to Council for consideration ([resourcerecovery@ballina.nsw.gov.au](mailto:resourcerecovery@ballina.nsw.gov.au));

VENM loads will need to be pre-booked with accompanying VENM certificate at least 24 hours before delivery (Monday to Friday only) with the weighbridge;

Council will need to check that this material complies with the VENM classification requirements before we can accept this material.

It is important that all information is accurate as under the POEO Act, it is an offence to supply false or misleading information to another person, including information about the type, classification, characteristics, composition or quantity of a waste. Significant penalties apply.

## »» *Are there any legal waste transport or tracking requirements?*

No. But as a minimum and for due diligence, you should keep records of the:

- amount and the type of waste generated, stored, treated or disposed of
- amount and the type of waste transported
- name of the transporter and transporter's vehicle registration number
- date of transportation
- name and location of the waste facility that is receiving the waste.

***If you have any questions or concerns please contact:***



Ballina Resource Recovery Centre: 6686 1287 or [resourcerecovery@ballina.nsw.gov.au](mailto:resourcerecovery@ballina.nsw.gov.au)  
Hours of operation: 8.00 am - 4.00 pm 7 days (excluding Public Holidays)  
Environmental Staff: 6686 1214 / 6686 1234

# >> Certification: virgin excavated natural material



1. I *[full name]*  
of *[organisation and address]*


certify that the waste as set out in section 2 of this notice is Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*.

This certification is made on behalf of the waste generator *[fill out if applicable]*

being *[full name]*  
of *[organisation and address]*


2. The waste was generated at:

Street address:

Title reference (Lot/DP, etc.):

The amount of waste (by volume or weight) is:


3. I have made the determination that the waste is VENM because:

- I have assessed the historical and current land use of the site at which the waste was generated.
- The waste is not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities.
- The waste does not contain any sulfidic ores or soils.
- The waste does not contain any other waste.
- The waste does not contain asbestos in any form.

**Note:** that all sections of this form must be completed including all boxes checked in Section 3 above and signed below for any material to be certified as VENM.

Signature(s)  
Name(s) (printed)  
Date




Once this certificate is completed please email to:  
[resourcerecovery@ballina.nsw.gov.au](mailto:resourcerecovery@ballina.nsw.gov.au)

