

29 September 2014

The Research Director
Agriculture, Resources and Environment Committee
Parliament House
BRISBANE, QLD, 4000

To Whom It May Concern:

Thank you for the opportunity to provide feedback on the Environmental Protection and Other Legislation Amendment (EPOLA) Bill.

Queensland Rail is supportive of the overall EPOLA reform process. We agree that the proposed changes are consistent with the Policy reform objectives outlined in the Explanatory Notes.

It is clear that the proposed amendments to Chapter 7, Part 8 of the Environmental Protection Act will help to deliver regulatory simplification by decoupling the land management and waste transport requirements for contaminated soil.

We have some concerns that the decoupling of these requirements may result in all contaminated soil being categorised and treated as regulated waste, regardless of contaminant concentrations. This could reduce Queensland Rail's ability to maximise the reuse potential of "low level contaminated soil", as requirements relating to the transport of contaminated soil are critical to assessing the viability of beneficial reuse opportunities.

Page 25 of the Decision Regulatory Impact Statement (Technical Services for Contaminated Land) states "*low level contaminated soil will not be categorised as regulated waste and therefore would not have to be transported by a licensed regulated waste transporter*". The Decision RIS also indicates that a review of the relevant definitions will provide the necessary thresholds for the application of trackable and regulated waste requirements.

We assume that Section 65 and/or Schedule 7 of the *Environmental Protection Regulation* will also be amended to provide for the categorisation of some contaminated soil as "low level contaminated soil", which will be suitable for reuse under certain conditions.

It would be ideal if these amendments could be affected at the same time as or prior to the passing of the EPOLA Bill, to avoid unnecessary confusion during the transition period.

We hope that the information above is useful and thank you in advance for the consideration of our feedback.

Kind regards

Troy Harrison
Manager Environment Strategy
Queensland Rail