

Environment Protection Act 1970

Act No. 8056/1970

Environment Protection (Industrial Waste Resource) Regulations 2009

Industrial Waste – Classification for drilling mud

Pursuant to regulation 11(1)(b) of the Environment Protection (Industrial Waste Resource) Regulations 2009 (the Regulations), the Environment Protection Authority Victoria (EPA) hereby classifies the industrial waste specified in clause 2 as non-prescribed industrial waste.

1. Classification number

2015/205

2. Industrial waste to which this classification applies

2.1. This classification applies to drilling mud which is the liquid or sludge residue generated during directional drilling or non-destructive hydro-excavation of soil (subject to the limitations in Part 3) when managed in accordance with Part 5.

2.2. Drilling mud may comprise a mixture of:

- (a) naturally occurring rock and soil including sandstone, shale and clay;
- (b) naturally occurring organic matter including tree roots, grass and shrubs; and
- (c) water and drilling fluid (which primarily consist of water and may also contain non synthetic additives such as bentonite).

3. Limitations of this classification

3.1. This classification does not apply to drilling mud:

- (a) that has been generated by drilling for mineral, gas or coal exploration;
- (b) that has been generated by drilling through contaminated soils;
- (c) that contains contamination introduced during drilling or excavation operations, including but not limited to lubrication oils and chemical additives; or
- (d) that has been generated by drilling in marine environments.

4. To whom this classification applies

4.1. This classification applies to:

- 4.1.1. any person who is an occupier of a site from which the drilling mud is produced and any person who generates the waste on the site (Waste Producer);
- 4.1.2. any person who is transporting the drilling mud from the site whether or not on behalf of the Waste Producer (Waste Transporter); and
- 4.1.3. any person who is an occupier of a site that receives drilling mud for the purpose of this classification (Waste Receiver). The Waste Receiver includes the occupier of a:
 - (a) site for temporary storage (Consolidation Site);
 - (b) dewatering site (clause 5.8) or dewatering facility (clause 5.9);
 - (c) disposal site.

Note: occupier has the same meaning as in the Environment Protection Act 1970.

5. Management options for waste classified

5.1. Prior to commencing drilling or excavation activities, the Waste Producer must undertake a documented assessment to demonstrate the potential for contamination to be present. This must include a visual inspection and an assessment of current and previous land uses, potential for acid sulphate soils and surrounding land uses.

5.1.1. If the assessment identifies contamination or potential contamination, the site is to be managed as contaminated until tests pursuant to the Industrial Waste Resource Guidelines 621: Soil Hazard Categorisation and Management (IWRG621) confirm otherwise.

5.1.2. If the assessment identifies potential for acid sulphate soils, the site is to be managed as per the Industrial Waste Management Policy (Waste Acid Sulfate Soils).

5.1.3. Assessment documents must be kept for a period of at least two years.

5.2. The Waste Producer must ensure that additives or contaminants (for example, oil lubricants) are not introduced during the drilling or excavation operation.

- 5.2.1. If synthetic additives or contaminants are introduced, this Classification does not have application.
- 5.3. A copy of the assessment (and if applicable, soil test results) conducted in clause 5.1 must be provided to the Waste Receiver, and kept by all parties for a period of no less than two years.
- 5.4. The drilling mud must be transported in a vehicle that is safe, secure and leak-free.
- 5.5. Prior to transporting drilling mud, the Waste Transporter must ensure that there is no contaminated residue or material in the tanker/tanker trailer.
- 5.5.1. If drilling mud is transported in a tanker/tanker trailer which does contain contaminated material or residue, then the Classification does not have application.
- 5.6. The Waste Transporter and Waste Receiver must keep the following records for a period of at least two years:
- 5.6.1. date and quantity of drilling mud transported and received;
- 5.6.2. name and address of the Waste Producer; and
- 5.6.3. registration number of the Waste Transporter's vehicle used to transport the drilling mud.
- 5.7. Drilling mud can be directed to a dewatering facility as outlined in clause 5.9, or dewatered naturally if appropriate controls are in place as outlined in clause 5.8.
- 5.8. The drilling mud may be dewatered naturally or air-dried either on-site or off-site when:
- 5.8.1. conditions outlined in clauses 5.1-5.7 have been met and the soil does not contain industrial waste;
- 5.8.2. the method of dewatering does not pose or cause an environmental risk or hazard. Risks or hazards to the environment include but are not limited to, contaminating land, groundwater, surface water or stormwater systems, run-offs, sediments and dust; and
- 5.8.3. following dewatering, the solids must not contain free liquid as determined by method 9095B "Paint Filter Liquid Test" in the Test methods evaluating solid wastes – Chemical/Physical Methods (US EPA 2004) and must be managed as IWRG621.
- Note: industrial waste has the same meaning as in the Environment Protection Act 1970. Examples of industrial waste include brick, asphalt and ceramics.
- 5.9. When drilling mud does not meet the requirements of clause 5.8.1 it must be directed to a dewatering facility and the below procedure must be followed:
- 5.9.1. Drilling mud must be stored in a manner so it does not cause an environmental risk to land and groundwater. This includes appropriate bunding, in accordance with EPA Bunding Guidelines (EPA Publication 347);
- 5.9.2. if the drilling mud is stored at a Consolidation Site prior to dewatering, the waste must be transported to the dewatering facility within 30 days from when the first load of drilling mud was received at the Consolidation Site;
- 5.9.3. following dewatering, the solids must not contain free liquid as determined by method 9095B "Paint Filter Liquid Test" in the Test methods evaluating solid wastes – Chemical/Physical Methods (US EPA 2004) and must be managed as IWRG621; and
- 5.9.4. liquid generated from the treatment of drilling mud at a facility must be directed to a water treatment plant (with a trade waste agreement where necessary), or managed in accordance with the Industrial Waste Resource Guidelines: Industrial water reuse (EPA publication IWRG632).
- 5.10. The Waste Transporter and Waste Receiver must develop and implement a Spill Management Plan. The Spill Management Plan must be able to be produced upon request of EPA.
- 5.11. EPA must be notified immediately of any incident or spill of drilling mud, including during transport, likely to cause an environmental hazard on 1300 372 842 (1300 EPA VIC).
- 5.12. A copy of this classification must:
- 5.12.1. be carried in any vehicle transporting the drilling mud to and from the relevant disposal facility or Consolidation Site; and
- 5.12.2. be kept at every disposal facility or Consolidation Site.

6. Notes

This classification may be amended or revoked by the EPA by way of written notice in the Victoria Government Gazette. Current classifications can also be found on EPA's website at epa.vic.gov.au