



# Virgin Excavated Natural Material (VENM)

## Definition

VENM is natural material:

- That has been excavated or quarried from areas that are not contaminated with manufactured chemicals or process residues, as a result of industrial, commercial, mining or agricultural activities
- That does not contain sulphidic ores or soils.

For more information, refer to the EPA's VENM web page located at <http://www.epa.nsw.gov.au/waste/virgin-material.htm>

## Waste classification

General solid waste (non-putrescible).

## Do I need an Environment Protection Licence to re-use VENM?

- **Onsite re-use:** No
- **Offsite re-use:** No

## Do I need to take samples and have the material tested for contaminants?

No. If you meet the above definition for VENM it can be reused on or offsite without prior testing.

**However:** If you are in doubt as to whether the material is VENM, you should sample and test the material as per the excavated natural material resource recovery exemption to confirm that the material is free of contaminants (see Environment Fact Sheet EFS-702).

## Do I need to obtain a Section 143 from the landholder if I dispose of VENM offsite (for example, as fill material)?

Yes. When disposing of VENM offsite to a private or publically owned site, you must issue the landholder with a copy of the proforma Roads and Maritime Services letter and a Section 143 Notice.

The landholder must complete, sign and return the 143 Notice to Roads and Maritime prior to the waste being transported to the landholder's site.

Further information about Section 143 notice requirements, including the Roads and Maritime letter template and Section 143 notice is provided in [Environmental Direction No: 20](#).

**Important note:** The landholder must attach written evidence that legal consent has been granted from the local council or planning consent authority showing that the material can legally be accepted onto the landholder's site.

## If I need to dispose of the material, what type of waste facility can I take the material to?

Every effort must be made to re-use VENM on or off-site before considering disposal. If disposal is the only option, the material can be taken to a waste facility, such as a council tip, licensed by the EPA to accept VENM.

Prior to transporting the material to a waste facility, you should ask for a copy of the facility's environment protection licence or check the EPA's public licence register to ensure that the facility's licence states that it can accept VENM.

The EPA's public register is located at <http://www.epa.nsw.gov.au/prpoeoapp/>.

## Are there any legal waste transporter or waste tracking requirements?

No, but as a minimum and for due diligence reasons, 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.

## Re-use opportunities

VENM by its nature can be re-used easily. Weed free topsoil may be stockpiled and reused on batters or in landscaping and revegetation works.

VENM may be sent offsite to a site that can legally accept this material for reuse or reprocessing.

**To facilitate future re-use, VENM should not be mixed with any other types of waste.**

## Further information

If you require further advice on Roads and Maritime waste issues, please contact your regional environment staff or the Senior Environmental Specialist (Sustainability) in the Environment Branch on 02 8843 3055.