

RESPONSIBILITIES OF CONTROLLED WASTE PRODUCERS IN THE ACT

INTRODUCTION

In June 1998 the National Environmental Protection Council (NEPC) made a National Environment Protection Measure (NEPM) for the Movement of Controlled Waste between States and Territories. The goal of the NEPM is to establish a nationally consistent system for tracking controlled waste movements. It aims to minimise the potential for adverse impacts associated with the interstate movement of such waste on the environment and human health.

Under the *National Environment Protection Council Act 1994* the ACT Government is required to implement the provisions of the NEPM in the Territory. The conditions of the NEPM relevant to controlled waste producers are incorporated into the Environment Protection Regulation 2005.

This attachment is intended as a guide for producers of controlled waste in the ACT who wish to transport their waste to another state or territory. The information that follows provides an overview of the new system.

WHAT IS CONTROLLED WASTE?

Controlled waste is waste, which could cause harm to the environment and/or human health. In broad terms it comprises of industrial chemicals, infectious substances, waste pharmaceuticals, various by-products of industrial processes and other wastes which display hazardous characteristics.

Under the NEPM, a controlled waste is any waste included in Schedule A, List 1, which possesses one or more of the characteristics in List 2 (Schedule A, Lists 1 and 2 of the NEPM are included at Appendix 1 of this guide). In most cases this will mean that any waste included in List 1 is automatically regarded as a controlled waste. Unless otherwise demonstrated to the satisfaction of the environment agency in the State or Territory of destination, all waste in List 1 is considered to possess one or more characteristics in List 2.

Copies of the NEPM, and associated papers, are available from the former Standing Council on Environment and Water (SCEW) website: www.scew.gov.au

AM I AFFECTED BY THE NEPM?

You will be affected by the NEPM if you are a producer of a controlled waste wishing to transport that waste to another state or territory.

If in doubt as to your obligations with regard to controlled waste please contact:

Mail: Environment Protection Authority Environmental Standards

GPO Box 158, Canberra ACT 2601

Phone: 13 22 81

Fax: 02 6207 6084

email: environmental.standards@act.gov.au

Dispatching, receiving or otherwise participating in the interstate movement of a controlled waste without the appropriate approvals is unlawful.

WHAT DOES IT ALL MEAN FOR CONTROLLED WASTE PRODUCERS IN THE ACT?

The conditions set for controlled waste producers in the Environment Protection Regulation 2005 apply only where controlled waste is to be transported to another State or Territory. If this is the case, controlled waste producers must meet the following conditions:

1. Controlled waste producers must determine whether the waste is a controlled waste

It is your responsibility to determine whether the waste you wish to send to another State or Territory is classed as a controlled waste and therefore subject to the NEPM on the Movement of Controlled Waste between State and Territories. Environment Protection Authority (EPA) will provide advice on controlled waste (see Appendix 1); however it will not confirm the classification of waste that is being transported out of the ACT.

2. Controlled waste producers must obtain a consignment authorisation prior to dispatching the waste.

You must obtain a consignment authorisation from the environment agency in the state or territory to which you wish to send the waste. Consignment authorisation application forms are available from the relevant State or Territory. A list of environment agencies responsible

for administering the NEPM in each state and territory is provided below.

3. Controlled waste producers must confirm that the controlled waste transporter is licensed or authorised to transport controlled waste in each State or Territory through which the waste will pass.

Controlled waste can only be moved by an appropriately licensed or authorised transporter. The NEPM requires that a controlled waste transporter carry, on each vehicle, a copy of the waste transport licence issued by the environment agency of the State or Territory in which the transporter is licensed or authorised.

If you have doubts regarding the authenticity of any licence produced, you should contact EPA.

You must obtain the following information, set out at Part 2 of the waste transport certificate, from the controlled waste transporter.

- > Name of transporter(s)
- > Address of transporter(s)
- > Vehicle registration number(s)
- > Name(s) of transit state(s)/territory or territories
- > Transport licence number(s)
- > Date of transport
- > Type of transport eg train, truck

You must ensure that this information is included on the waste transport certificate before the controlled waste is removed from your premises.

RESPONSIBILITIES OF CONTROLLED WASTE PRODUCERS IN THE ACT

State/ territory	Agency issuing consignment authorisations	Contact
Australian Capital Territory	Environment Protection Authority Environmental Standards GPO Box 158, Canberra ACT 2601	Ph: 13 22 81 Fax: 02 6207 6084 Email: environmental.standards@act.gov.au
New South Wales	New South Wales Environment Protection Authority Hazardous Waste Regulation PO Box A290, Sydney South NSW 1232	Ph: 02 9995 5000 Fax: 02 9995 5999 Email: hazardouswaste@environment.nsw.gov.au
Victoria	Environment Protection Authority Technical Support Unit GPO Box 4395, Melbourne VIC 3001	Ph: 03 9695 2662 Fax: 03 9695 2692 Email: wasteissues@epa.vic.gov.au
Queensland	Department of Environment and Heritage Protection Trackable Waste Regulation and Support Unit GPO Box 2454, Brisbane QLD 4001	Ph: 07 3330 5677 Fax: 07 3330 5634 Email: waste.track@ehp.qld.gov.au
South Australia	Environment Protection Authority Licensing and Operations Services GPO Box 2607, Adelaide SA 5001	Ph: 08 8204 2039 Fax: 08 8124 4672 Email: epainfo@epa.sa.gov.au
Western Australia	Department of Environment & Regulation Controlled Waste Locked Bag 33, Cloisters Square WA 6850	Ph: 08 6467 5000 Fax: 08 6467 5520 Email: cwts@der.wa.gov.au
Tasmania	Environment Protection Authority Waste Management Section 134 Macquarie Street, Hobart TAS 7000	Ph: 03 6165 4594 Fax: 03 6233 3800 Email: environmentenquiries@environment.tas.gov.au
Northern Territory	Northern Territory Environment Protection Authority Environmental Operations GPO Box 3675, Darwin NT 0801	Ph: 08 8924 4218 Fax: 08 8924 4053 Email: environmentops@nt.gov.au

4. Controlled waste producers must provide the following information to the controlled waste transporter:

This information is set out at Part 1 of the waste transport certificate.

- > Description of the waste(s) [Use proper shipping name/ technical name if applicable for Dangerous Goods]
- > The physical nature of the waste
- > Waste code(s)
- > Contaminant(s)
- > UN Number(s)
- > UN Code(s)
- > Dangerous Goods Class(es) (UN Class(es)) [and Subsidiary Risk if applicable for Dangerous Goods]
- > Packaging Group number
- > Amount of waste(s)
- > Waste origin code (ANZ Standard Industry Code)
- > Type of package (eg bulk) [and number of packages of each type if applicable for Dangerous Goods]
- > Facility name
- > Facility address
- > Facility licence number
- > State/Territory of destination
- > Name of waste producer
- > Address of waste source
- > Producer's telephone number
- > Emergency contact number in the event of accident or spillage
- > Consignment authorisation number
- > Producer identification number
- > Date of dispatch

If the consignment authorisation is valid for more than one load of controlled waste, you must also indicate, at Part 1 of the waste transport certificate, the number of the consignment being transported.

5. Controlled waste producers must report the dispatch of each consignment of controlled waste to the environment agency in the state or territory to which the controlled waste is being transported.

The way in which you need to report the dispatch of a controlled waste load may vary depending on the requirements of the environment agency in the

destination state or territory. For example, you may need to return the relevant waste transport certificate dockets to the nominated agencies within a specified time period. Contact the relevant state or territory agency to confirm what their requirements are.

You should receive written confirmation, from the destination waste facility, of the receipt of the waste within 14 days after the date on which the waste was transported. If you do not, you must notify the EPA in writing.

Mail: Environment Protection Authority Environmental Standards

GPO Box 158, Canberra ACT 2601

Fax: 02 6207 6084

Email: environmental.standards@act.gov.au

6. Controlled waste producers must retain a copy of all documentation relevant to the consignment of controlled waste for not less than 12 months.

Legislation in other states and territories may require you to keep this documentation for longer periods. Contact the relevant environment agency in the state or territory of destination to confirm what their requirements are.

If in doubt as to your obligations with regard to controlled waste please contact EPA on 13 22 81.

Copies of the NEPM, and associated papers, are available from the former Standing Council on Environment and Water (SCEW) website: www.scew.gov.au

APPENDIX 1

Schedule A - List 1: Waste Categories

NEPM Waste	NEPM Waste Code	Examples
Acidic solutions or acids in solid form	B100	Sulphuric acid Hydrochloric acid Nitric acid Phosphoric acid Battery acid Chromic acid Hydrofluoric acid Sulphuric/hydrochloric acid mixtures Acids mixed n.o.s. Organic acids
Animal effluent and residues (abattoir effluent, poultry and fish processing wastes)	K100	
Antimony; antimony compounds	D170	
Arsenic; arsenic compounds	D130	Coopers sheepdip
Asbestos	N220	Asbestos cement
Barium compounds (excluding barium sulphate)	D290	
Basic solutions or bases in solid form	C100	Caustic soda Ammonia Alkali cleaners Potash Alkalis
Beryllium; beryllium compounds	D160	
Boron compounds	D310	Borax
Cadmium; cadmium compounds	D150	Nickel/cadmium batteries
Ceramic-based fibres with physico-chemical characteristics similar to those of asbestos	N230	
Chlorates	D350	
Chromium compounds (hexavalent and trivalent)	D140	Tannery wastes containing chromium
Clinical and related wastes	R100	Medical waste Sharps
Cobalt compounds	D200	
Containers and drums which are contaminated with residues of substances referred to in this list	N100	Chemical containers
Copper compounds	D190	
Cyanides (inorganic)	A130	

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NEPM Waste	NEPM Waste Code	Examples
Cyanides (organic)	M210	
Encapsulated, chemically-fixed, solidified or polymerised wastes	N160	Wastes treated with cement or lime or both
Ethers	G100	
Filter cake	N190	
Fire debris and fire washwaters	N140	
Fly ash	N150	
Grease trap waste	K110	Interceptor waste
Halogenated organic solvents	G150	Genklene 111 Trichloroethane Methylene chloride Trinene Tetrachloroethylene Perchloroethylene
Highly odorous organic chemicals (including mercaptans and acrylates)	M260	Organic sulphur compounds
Inorganic fluorine compounds excluding calcium fluoride	D110	
Inorganic sulfides	D330	
Isocyanate compounds	M220	MDI TDI
Lead; lead compounds	D220	Used lead/acid batteries
Mercury; mercury compounds	D120	Mercury cell batteries Medical equipment containing mercury Fluorescent tubes and compact fluorescent lamps (CFL's).
Metal carbonyls	D100	
Nickel compounds	D210	
Non toxic salts	D300	
Organic phosphorous compounds	H110	Organophosphorus pesticides
Organic solvents excluding halogenated solvents	G110	Xylene Methyl ethly ketone Butanol White spirit
Organohalogen compounds- other than substances referred to in this list	M160	CFCs
Perchlorates	D340	
Phenols, phenol compounds including chlorophenols	M150	
Phosphorus compounds excluding mineral phosphates	D360	Ethyl phosphate
Polychlorinated dibenzo-furan (any congener)	M170	
Polychlorinated dibenzo-p-dioxin (any congener)	M180	
Residues from industrial waste treatment/disposal options	N205	Filter cake residues
Selenium; selenium compounds	D240	

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NEPM Waste	NEPM Waste Code	Examples
Soils contaminated with a controlled waste	N120	
Surface active agents (surfactants), containing principally organic constituents and which may contain metals and inorganic materials.	M250	
Tannery wastes (including leather dust, ash, sludges and flours)	K140	
Tellurium; tellurium compounds	D250	
Thallium; thallium compounds	D180	
Triethylamine catalysts for setting foundry sands	M230	Used foundry sands
Tyres	T140	
Vanadium compounds	D270	
Waste chemical substances arising from research and development or teaching activities including those which are not identified and/or are new and whose effects on human health and/or the environment are not known.	T100	Used, unwanted laboratory chemicals
Waste containing peroxides other than hydrogen peroxide	E100	
Waste from heat treatment and tempering operations containing cyanides	A110	
Waste from manufacture, formulation and use of wood-preserving chemicals	H170	CCA waste PCP Creosote
Waste from the production, formulation and use of biocides and phytopharmaceuticals	H100	Organochlorine pesticides DDT Inorganic, organo-metallic pesticides Nitrogen-containing pesticides Halogen-containing pesticides Sulphur-containing pesticides Biological pesticides Mixed pesticide residue Inorganic wood preserving compounds n.o.s. Organic wood preserving pesticides
Waste from the production, formulation and use of inks, dyes, pigments, paints, laquers and varnish	F100	Paint residues, Textile effluent
Waste from the production, formulation and use of organic solvents	G160	Still bottoms
Waste from the production, formulation and use of photographic chemicals and processing materials	T120	Photographic wastes containing silver Photographic chemicals Photographic Fixer
Waste from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	F110	Cured adhesives or resins
Waste from the production and preparation of pharmaceutical products	R140	
Waste mineral oils unfit for their original intended use	J100	Waste oil
Waste oil/water, hydrocarbons/water mixtures or emulsions	J120	Oil arrester waste
Waste pharmaceuticals, drugs and medicines	R120	Cytotoxic wastes
Waste resulting from surface treatment of metals and plastics	A100	

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NEPM Waste	NEPM Waste Code	Examples
Waste tarry residues arising from refining, distillation, and any pyrolytic treatment	J160	
Waste substances and articles containing or contaminated with polychlorinated biphenyls ((PCB's), polychlorinated naphthalenes (PCN's), polychlorinated terphenyls (PCT's) and/or polybrominated biphenyls (PBB's)	M100	Some capacitors may contain PCBs
Waste of an explosive nature not subject to other legislation	E120	
Wool scouring wastes	K190	
Zinc compounds	D230	

Schedule A - List 2:

Dangerous Goods Class (UN Class*)	UN Code	
1	H1	<p>Explosive</p> <p>An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.</p>
3	H3	<p>Flammable liquids</p> <p>The word "flammable" has the same meaning as "inflammable". Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension, (for example, paints, varnishes, lacquers, etc., but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off flammable vapour at temperatures of not more than 60.5oC, closed cup test, or not more than 65.6oC, open-cup test. (Since the results of open-cup and of closed cup tests are not strictly comparable and even individual results by the same test are often variable, regulations varying from the above fi res to make allowances for such differences would be within the spirit of the definition.)</p>
4.1	H4.1	<p>Flammable solids</p> <p>Solids or waste solids, other than those classified as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.</p>
4.2	H4.2	<p>Substances or wastes liable to spontaneous combustion</p> <p>Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up in contact with air, and being then liable to catch fi e.</p>
4.3	H4.3	<p>Substances or wastes which, in contact with water, emit flammable gases</p> <p>Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.</p>
5.1	H5.1	<p>Oxidising</p> <p>Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen, cause or contribute to, the combustion of other materials.</p>
5.2	H5.2	<p>Organic peroxides</p> <p>Organic substances or wastes which contain the bivalent -O-O- structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.</p>
6.1	H6.1	<p>Poisonous (acute)</p> <p>Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.</p>

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Dangerous Goods Class (UN Class*)	UN Code	
6.2	H6.2	Infectious substances Substances or wastes containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.
8	H8	Corrosives Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or in case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.
9	H10	Liberation of toxic gases in contact with air or water Substances or wastes which, by liberation with air or water, are liable to give off toxic gases in dangerous quantities.
9	H11	Toxic (delayed or chronic) Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity.
9	H12	Ecotoxic Substances or wastes which if released present, or may present, immediate or delayed adverse impacts to the environment by means of bioaccumulation and/or toxic effects upon biotic systems.
9	H13	Capable of yielding another material which possesses H1-H12 Capable by any means, after disposal, of yielding another material, e.g. leachate, which possesses any of the characteristics listed above.
		Other reasons Potential to have a significant adverse impact on ambient air quality. Potential to have a significant adverse impact on ambient marine, estuarine or fresh water quality.

* UN Class and Code relates to the hazard classification system included in the United Nations Recommendations on the Transport of Dangerous Goods as used in Australia.

FOR MORE INFORMATION

Contact the EPA by calling 13 22 81 or email environmental.standards@act.gov.au

Go to www.accesscanberra.act.gov.au for more information relating to movement of controlled waste

- > Application for Consignment Authorisation
- > Responsibilities of interstate controlled waste producers seeking to transport their waste into the ACT
- > Responsibilities of controlled waste transporters in the ACT
- > Guide to using a Waste Transport Certificate
- > Standing Council on Environment and Water website www.scew.gov.au
- > Australian Dangerous Goods Code www.infrastructure.gov.au/transport/australia/dangerous/index.aspx

Further Information | Phone: Access Canberra on 13 22 81 | Email: environment.protection@act.gov.au | Web: www.act.gov.au/accesscbr

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