



PART 1 – GENERAL INFORMATION

NEPM Details

Title: National Environment Protection Council (Movement of Controlled Waste between States and Territories) Measure

Made by Council: 26 June 1998

Commencement Date: 8 July 1998 (advertised in the *Commonwealth of Australia Gazette* No GN 27, 8 July 1998, p 2212)

NEPM Goal (or purpose)

The desired goal for the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure is set out in clause 11 of the Measure as follows:

11. The national environment protection goal of this Measure is to assist in achieving the desired environmental outcomes set out in clause 12 by providing a basis for ensuring that controlled wastes which are to be moved between States and Territories are properly identified, transported, and otherwise handled in ways which are consistent with environmentally sound practices for the management of these wastes.

Desired Environmental Outcomes

The desired environmental outcome for the National

Environment Protection (Movement of Controlled Waste between States and Territories) Measure is set out in clause 12 of the Measure as follows:

12. The desired environmental outcomes of this Measure are to minimise the potential for adverse impacts associated with the movement of controlled waste on the environment and human health.

Evaluation Criteria

The assessment of the effectiveness of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure is based on the following criteria:

General Criteria (Specified in the NEPC Implementation Reporting Protocol)

- progress in implementing the NEPM
- compliance by parties bound by the NEPM with NEPM protocols and/or other NEPM reporting requirements
- progress toward achievement of the NEPM goal, the desired environmental outcomes and any NEPM standards
- issues arising that reflect on the efficiency and simplicity of NEPM administration.

Specific Criteria

No specific criteria are set out in the NEPM.

PART 2 – IMPLEMENTATION OF THE NEPM AND ANY SIGNIFICANT ISSUES

This part provides a summary of jurisdictional reports on implementation, discussion of any issues of concern raised by jurisdictions, and Council's overall assessment of the implementation of the NEPM.

Legislative, Regulatory and Administrative Framework

Table (7): Summary of Implementation Frameworks

Jurisdiction	Summary of Implementation Frameworks
Commonwealth	<ul style="list-style-type: none">• The Commonwealth is implementing the NEPM through administrative arrangements and uses relevant State and Territory tracking and reporting systems to move its controlled waste.
New South Wales	<ul style="list-style-type: none">• The <i>Protection of the Environment Operations Act 1997</i> provides the legislative framework for implementation of the NEPM.• This is given effect through the provisions of the <i>Protection of the Environment Operations (Waste) Regulation 1996</i> and conditions of relevant environment protection licences.



Jurisdiction	Summary of Implementation Frameworks
Victoria	<ul style="list-style-type: none"> • <i>The Environment Protection Act 1970</i> and the <i>Environment Protection (Prescribed Waste) Regulations 1998</i> have been the key legislative instruments. The NEPM was formally adopted into the legislative framework in 2001 through the <i>industrial waste management policy (Movement of Controlled Waste between States and Territories)</i>.
Queensland	<ul style="list-style-type: none"> • <i>The Environmental Protection Act 1994</i> and <i>Environmental Protection (Waste Management) Regulation 2000</i> are the key legislative instruments.
Western Australia	<ul style="list-style-type: none"> • The <i>Environmental Protection (Controlled Waste) Regulations 2001</i> came into effect on 1 July 2001.
South Australia	<ul style="list-style-type: none"> • Under section 28A of the <i>Environment Protection Act 1993</i> the NEPM operates as an Environment Protection Policy.
Tasmania	<ul style="list-style-type: none"> • The <i>State Policies and Projects Act 1993</i>, the <i>Environmental Management and Pollution Control Act 1994</i> and the <i>Environmental Management and Pollution Control (Waste Management) Regulations 2000</i> are the key legislative instruments.
Australian Capital Territory	<ul style="list-style-type: none"> • The <i>Environment Protection Act 1997</i> and Division 4 — Transport of Controlled Waste of the <i>Environment Protection Regulations 1997</i> are the key legislative instruments.
Northern Territory	<ul style="list-style-type: none"> • The <i>Waste Management and Pollution Control Act 1998</i> is the key legislative instrument.

Council Assessment of Implementation Frameworks

Jurisdictions are successfully implementing the NEPM through appropriate frameworks and the making and amending of jurisdictional policies. Implementation and improvement of the operation of the NEPM is continuing.

Implementation Activities

Table (8): Summary of Jurisdictional Implementation Activities

Jurisdiction	Summary of Implementation Activities
Commonwealth	<ul style="list-style-type: none"> • Commonwealth agencies affected by the NEPM are complying with its requirements through relevant State and Territory implementation regimes.
New South Wales	<ul style="list-style-type: none"> • NSW EPA has: <ul style="list-style-type: none"> – introduced more efficient systems for identifying and following up on discrepancies in reported waste movements – commenced drafting amendments to legislation to enable reuse exemption provisions.
Victoria	<ul style="list-style-type: none"> • EPA Victoria has: <ul style="list-style-type: none"> – launched its electronic version of Waste Transport Certificates, where waste producers, transporters and receivers submit transport information via EPA Victoria's website



Jurisdiction	Summary of Implementation Activities
Victoria (continued)	<ul style="list-style-type: none"> – authorised a number of reusers in Victoria to continue to help facilitate reuse of zinc dross once this reuse exemption has been ratified under the NEPM.
Queensland	<ul style="list-style-type: none"> • Queensland EPA has continued to administer the NEPM to help ensure that controlled wastes are appropriately managed.
Western Australia	<ul style="list-style-type: none"> • The Department of Environmental Protection has continued to administer the NEPM to help ensure that controlled wastes are appropriately managed.
South Australia	<ul style="list-style-type: none"> • SA EPA has continued to issue consignment authorisations and then record Waste Transport Certificates using an electronic database system.
Tasmania	<ul style="list-style-type: none"> • DPIWE has commenced drafting of new transport regulations which will introduce a tracking system using Waste Transport Certificates.
Australian Capital Territory	<ul style="list-style-type: none"> • Environment ACT has continued to administer the NEPM to help ensure that controlled wastes are appropriately managed.
Northern Territory	<ul style="list-style-type: none"> • The Department of Infrastructure, Planning and Environment has continued to administer the NEPM to help ensure that the Territory's controlled wastes are appropriately managed. (The Territory currently lacks appropriate treatment and disposal facilities.)

Council Evaluation and Assessment of Jurisdictional Implementation Activities

Jurisdictions continue to make sound progress in implementing and continuously improving the operation of the NEPM.

The Implementation Working Group activities are focused on resolving practical issues of the implementation of the NEPM. Significant contributions were made by jurisdictions toward the development of a framework and agreement on National Standards for Direct Reuse Exemptions and Geographical Exemptions. The sign-off of these agreements between participating jurisdictions will be the last step in achieving full implementation of clause 9(b) of the NEPM.

The high degree of cooperation between jurisdictions and the ready acceptance of the system by industry demonstrates that the Measure is an effective tool to assist in protecting the environment.

Jurisdictions are discussing the adoption of EPA Victoria's electronic reporting tool.

PART 3 – ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM continues to be an effective tool for ensuring the safe, legitimate and consistent transport of controlled wastes between States and Territories in Australia, with most wastes destined for reuse or specialist treatment facilities. The NEPM provides clear guidance for industry compliance resulting in comprehensive data on controlled waste movements.

The primary goals of the NEPM, including the identification, notification, transport and handling of controlled wastes destined for interstate movements together with the mutual recognition of each jurisdiction's authorisations, have largely been achieved. Compliance with the NEPM requirements by waste producers, transport companies and receiving facilities has been very good and reflects a high level of awareness by industry.

The NEPM does not currently address the principles of waste minimisation or risk reduction via transport and handling minimisation. The review of the NEPM planned for 2003 could consider these gaps.

PART 4 — REPORTING REQUIRED BY THE NEPM

The jurisdictional reports in Part 5 provide information for each State and Territory. The tables below contain a national summary of the data regarding quantities of each waste category transported between States and Territories. A national summary of the level of discrepancies recorded cannot be produced based on the data (in the form of a percentage of total movements for which a discrepancy was recorded) provided by the States and Territories.

Table (9): Summary of Total Movements of Controlled Waste within Australia
— Imports by States and Territories for the Period
1 July 2001 – 30 June 2002

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
A	Plating & heat treatment	0.00	2.55	0.00	0.00	8.83	0.00	0.00	0.00	11.38
B	Acids	2841.44	454.18	0.60	0.00	8.61	0.00	0.00	0.00	3304.83
C	Alkalis	2.16	1842.78	425.90	0.00	0.00	0.00	0.00	0.00	2270.84
D	Inorganic chemicals	17478.16	8696.50	1059.79	199.23	8805.05	4.10	0.00	0.00	36242.83
E	Reactive chemicals	0.04	5.57	0.00	0.00	15.30	0.00	0.00	0.00	20.91
F	Paints, resins, inks, organic sludges	3459.27	2243.46	13177.04	0.00	149.98	0.00	0.00	0.00	19029.75
G	Organic solvents	1805.79	548.95	0.00	0.00	264.29	0.00	0.00	0.00	2619.03
H	Pesticides	171.10	443.77	16.44	0.00	2.84	0.00	0.00	0.00	634.15
J	Oils	973.49	3399.20	12.38	0.00	306.74	241.82	0.00	0.00	4933.63
K	Putrescible/organic waste	0.00	1872.23	0.00	0.00	0.00	1.80	0.00	0.00	1874.03
L	Industrial washwater	0.00	1160.00	0.00	0.00	0.00	0.00	0.00	0.00	1160.00
M	Organic chemicals	6.45	831.32	636.22	27.80	52.96	0.00	0.00	0.00	1554.75
N	Soil/sludge	10.74	311.00	25.13	75.85	8.00	21.90	7.42	0.00	460.04
R	Clinical & pharmaceutical	179.51	254.18	191.69	0.00	92.98	0.00	566.57	0.00	1284.93
T	Miscellaneous	7.68	196.69	10.51	0.00	10.96	1561.20	0.00	0.00	1787.04
	Total (tonnes)	26935.83	22262.38	15555.70	302.88	9726.54	1830.82	573.99	0.00	77188.14

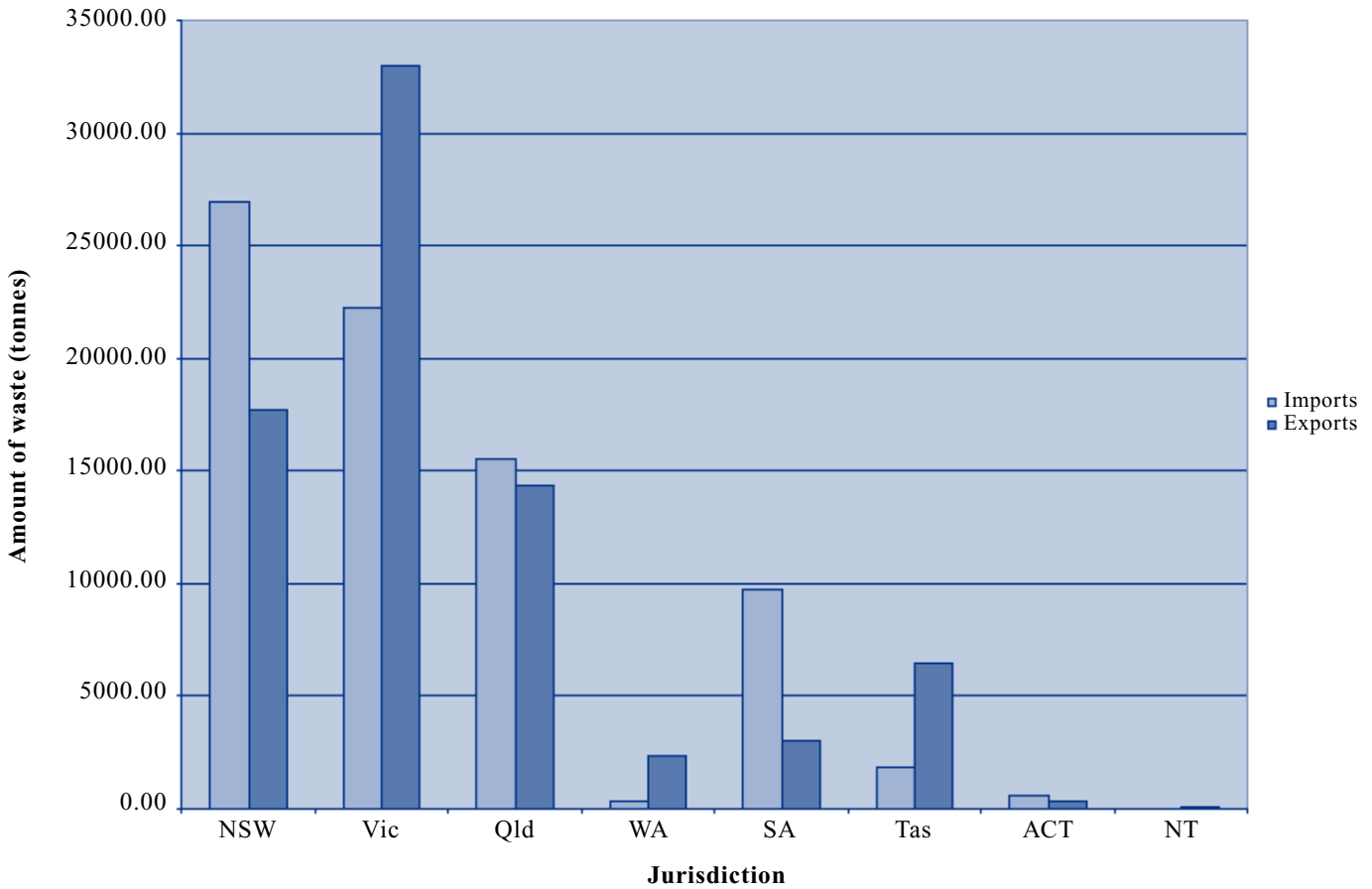
*Table (10): Summary of Total Movements of Controlled Waste within Australia
— Exports by States and Territories for the Period
1 July 2001 – 30 June 2002*

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
A	Plating & heat treatment	0.00	8.83	2.55	0.00	0.00	0.00	0.00	0.00	11.38
B	Acids	397.48	2847.68	3.38	0.00	0.00	54.56	1.73	0.00	3304.83
C	Alkalis	1659.39	0.00	2.36	0.00	608.87	0.22	0.00	0.00	2270.84
D	Inorganic chemicals	6320.13	10544.27	11657.28	1856.11	1667.73	4190.48	6.83	0.00	36242.83
E	Reactive chemicals	5.57	15.30	0.00	0.00	0.00	0.00	0.04	0.00	20.91
F	Paints, resins, inks, organic sludges	1304.81	15742.56	1454.26	331.87	153.38	36.18	6.69	0.00	19029.75
G	Organic solvents	388.94	1122.56	646.47	92.65	194.20	165.05	9.16	0.00	2619.03
H	Pesticides	122.54	7.64	324.60	6.80	116.66	45.30	10.61	0.00	634.15
J	Oils	2102.78	1033.27	217.56	16.60	111.28	1284.60	167.42	0.12	4933.63
K	Putrescible/organic waste	1872.23	0.00	0.00	0.00	0.00	0.00	1.80	0.00	1874.03
L	Industrial washwater	1160.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1160.00
M	Organic chemicals	631.96	201.05	32.37	4.72	64.10	616.38	3.91	0.26	1554.75
N	Soil/sludge	419.40	15.46	3.28	0.00	0.00	0.00	21.90	0.00	460.04
R	Clinical & pharmaceutical	482.78	615.00	0.00	0.00	13.74	25.00	90.92	57.49	1284.93
T	Miscellaneous	823.11	812.97	44.34	0.00	83.10	6.15	17.36	0.01	1787.04
	Total (tonnes)	17691.12	32966.59	14388.45	2308.75	3013.06	6423.92	338.37	57.88	77188.14





Figure 6: Movements of Controlled Waste within Australia



PART 5 – REPORTS ON IMPLEMENTATION BY JURISDICTIONS

The individual jurisdictional reports are attached as Annexes to Appendix 6 as follows:

Annex 1: Commonwealth	page 184
Annex 2: New South Wales	page 185
Annex 3: Victoria	page 187
Annex 4: Queensland	page 189
Annex 5: Western Australia	page 191
Annex 6: South Australia	page 193
Annex 7: Tasmania	page 195
Annex 8: Australian Capital Territory	page 197
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