



NEPC Report on the Implementation of the
Movement of Controlled Waste between
States and Territories NEPM

2002 – 2003

'The NEPM is providing an effective means to monitor the movement and disposal of controlled wastes. Jurisdictions are continuing to cooperate actively on the administration of the NEPM, helping to ensure an efficient and effective system for the protection of the environment from controlled waste.'



PART 1 — GENERAL INFORMATION

NEPM details

Title: National Environment Protection (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 Protection of the Environment Operations (Waste) Regulation 1996 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>, the Environment Protection (Prescribed Waste) Regulations 1998, and the Industrial waste management policy (Movement of Controlled Waste between States and Territories) are the key legislative instruments.
Queensland	<ul style="list-style-type: none"> • <i>The Environmental Protection Act 1994</i> and Environmental Protection (Waste Management) Regulation 2000 are the key legislative instruments.
Western Australia	<ul style="list-style-type: none"> • The Environmental Protection (Controlled Waste) Regulations 2001 is the primary legislative instrument.
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. It is implemented through conditions attached to relevant licences.
Tasmania	<ul style="list-style-type: none"> • The <i>State Policies and Projects Act 1993</i>, and the Environmental Management and Pollution Control (Waste Management) Regulations 2000 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 Environment Protection Regulations 1997 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. Listed wastes are prescribed in Schedule 2 of the Waste Management and Pollution Control (Administration) Regulations 1998 and are deemed to be in accordance with Schedule A of the NEPM.

Council assessment of Implementation Frameworks

Jurisdictions are successfully implementing the NEPM through appropriate frameworks and the drafting and amendment of jurisdictional policies.

Implementation activities

Table (8): Summary of Jurisdictional Implementation Activities

Jurisdiction	Summary of Implementation Activities
Commonwealth	<ul style="list-style-type: none"> • Commonwealth agencies have begun to incorporate activities under the NEPM into their environmental management systems, while all agencies are involved in minimising the production of material or in the removal of obsolete chemicals subject to the NEPM.
New South Wales	<ul style="list-style-type: none"> • During the reporting year, systems established to implement the NEPM were upgraded and enforcement activities increased, resulting in improved compliance with the requirements of the NEPM. • A campaign targeting waste tracking in late 2002 resulted in a reduction in waste being transported without a valid consignment authorisation. • 183 new consignment authorisations were issued.



Jurisdiction	Summary of Implementation Activities
Victoria	<ul style="list-style-type: none"> • Victoria is now using an electronic lodgement system to track regulated wastes that are transported within the State. This system can also be used to track cross border movements. • 680 approvals were issued and 18 consignment applications were refused.
Queensland	<ul style="list-style-type: none"> • Queensland EPA has continued to administer the NEPM to ensure that controlled wastes are appropriately managed. • 144 consignment authorisations were issued while 12 consignments were refused on the basis that the transporter or receiving facility was not licensed for the management of the controlled waste. • There were four transports of grease trap waste without consignment authorisation. Corrective action was taken by the EPA to secure compliance with the NEPM.
Western Australia	<ul style="list-style-type: none"> • Amendments to the Environmental Protection (Controlled Waste) Regulations 2001 are currently being pursued with the objective of strengthening the control of intrastate transport movements.
South Australia	<ul style="list-style-type: none"> • Examination of information received on the waste transport certificates has enabled compliance actions to be taken for persons not licensed or appropriately licensed to transport or receive controlled wastes.
Tasmania	<ul style="list-style-type: none"> • The Department of Primary Industries, Water and Environment continues to assist waste producers and transport companies in identifying controlled wastes to ensure appropriate handling and disposal.
Australian Capital Territory	<ul style="list-style-type: none"> • Environment ACT has continued to work with industry to ensure efficient implementation of the NEPM. • The licensing and commissioning of the Energy Services PCB Oil Treatment Facility has resulted in an increase in movements of controlled waste into the Australian Capital Territory.
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 high degree of cooperation between jurisdictions and the ready acceptance of the system by industry demonstrates that the NEPM is an effective tool to assist in ensuring that controlled waste is managed in a manner consistent with the desired environmental outcome.

Jurisdictions continued to play an active role in the Implementation Working Group, which remains a valuable forum for frequent communication and has assisted in understanding the issues relating to the interjurisdictional management of controlled wastes.

A significant activity initiated during the reporting year was the commencement of the review of the NEPM. The terms of reference for the review included:

1. the effectiveness of the NEPM in achieving the national environment protection goal



2. the resources available for implementing the NEPM
3. relationship of the NEPM to national waste issues
e.g. hazardous waste
4. relationship of the NEPM to agreements
5. the need, if any, for amending the NEPM
6. the impact of the importation of overseas waste.

PART 3 — ASSESSMENT OF NEPM EFFECTIVENESS

The primary goals of the NEPM, including the identification, notification, transport and handling of controlled waste destined for interstate movements, together with the mutual recognition of each jurisdiction's authorisations, have largely been achieved.

The NEPM is providing an effective means to monitor the movement and disposal of controlled wastes. Jurisdictions are continuing to cooperate actively on the administration of the NEPM which helps to ensure an efficient and effective system for the protection of the environment from controlled waste.

Industry compliance continues to be high as the NEPM provides clear guidelines on the transport of controlled waste across State and Territory borders. The records help industry to demonstrate that controlled waste transported across jurisdictional boundaries is being appropriately managed. Some jurisdictions have reported that significant portions of the movements of waste across jurisdictional boundaries are for reuse, recycling or energy recovery.

PART 4 — REPORTING REQUIRED BY THE NEPM

The jurisdictional reports in Part 5 provide information for each State and Territory. The tables on page 32 and 33 contain a national summary of the data regarding quantities of each waste category transported between States and Territories; the waste classes group the 73 waste categories of waste streams and constituents listed in Schedule A of the NEPM into 15 broader types.

Table (9): Summary of Total Movements of Controlled Waste within Australia
Imports by States and Territories
1 July 2002 to 30 June 2003

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
A	Plating & heat treatment	98.10	0.00	4.13	0.00	13.82	0.00	0.00	0.00	116.05
B	Acids	7143.24	843.85	157.88	0.00	0.00	0.24	0.00	0.00	8145.21
C	Alkalis	0.00	1291.76	637.80	0.00	0.00	0.00	0.00	0.00	1929.56
D	Inorganic chemicals	29400.03	7715.15	5256.78	50.52	873.24	902.88	0.00	0.00	44198.60
E	Reactive chemicals	0.20	6.01	0.00	0.00	40.39	0.00	0.00	0.00	46.60
F	Paints, resins, inks, organic sludges	3187.60	2944.14	13637.49	177.30	0.00	0.03	0.00	0.00	19946.56
G	Organic solvents	2928.68	721.67	0.26	112.00	55.99	5.86	0.00	0.00	3824.46
H	Pesticides	427.84	331.57	21.44	0.00	0.00	0.00	0.00	0.00	780.85
J	Oils	1936.40	3215.65	327.42	0.00	2673.51	540.03	223.95	0.00	8916.96
K	Putrescible/organic waste	870.17	1706.22	57.50	0.00	0.00	25.75	0.00	0.00	2659.64
L	Industrial washwater	0.00	1458.57	0.00	0.00	0.00	0.00	0.00	0.00	1458.57
M	Organic chemicals	0.00	332.87	993.38	38.00	3.00	0.00	107.35	0.00	1474.60
N	Soil/sludge	47.03	287.15	112.02	2295.25	0.04	42.29	0.00	0.00	2783.78
R	Clinical & pharmaceutical	643.52	167.27	52.59	0.00	85.73	0.01	1368.76	0.00	2317.88
T	Misc.	29.77	44.88	1.58	70.40	0.26	0.00	0.00	0.00	146.89
	Total (tonnes)	46712.57	21066.76	21260.27	2743.47	3745.98	1517.09	1700.06	0.00	98746.19

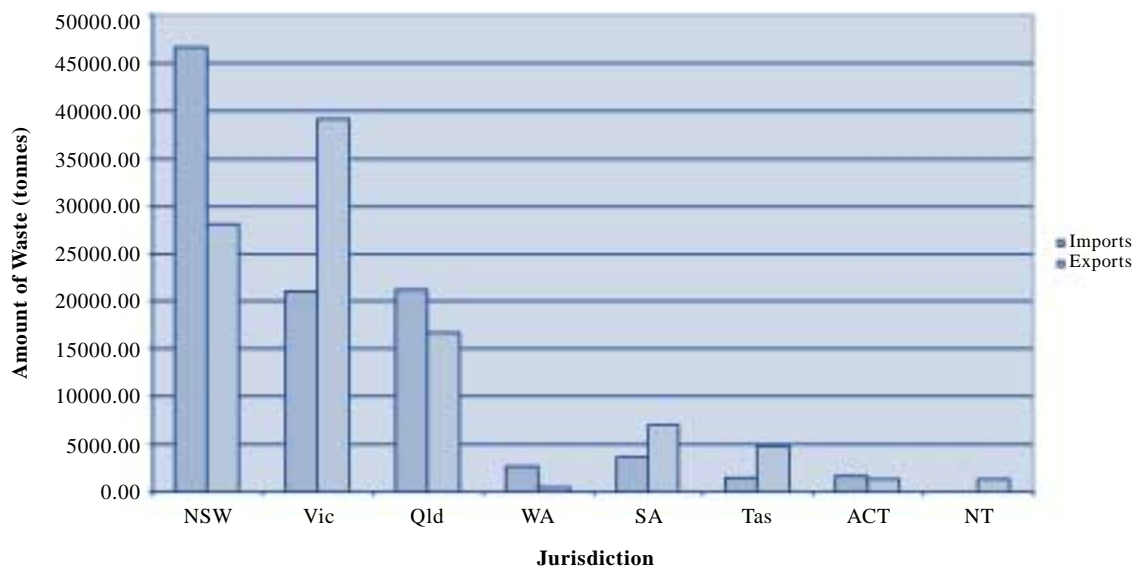
*Table (10): Summary of Total Movements of Controlled Waste within Australia
Exports by States and Territories
1 July 2002 – 30 June 2003*

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
A	Plating & heat treatment	0.00	13.17	98.75	0.00	0.00	0.00	0.00	4.13	116.05
B	Acids	807.25	7144.67	40.34	93.94	0.00	56.30	2.72	0.00	8145.21
C	Alkalis	823.08	0.00	1.53	0.00	1104.43	0.52	0.00	0.00	1929.56
D	Inorganic chemicals	12214.58	10650.66	12686.68	0.00	4410.99	4230.69	5.01	0.00	44198.60
E	Reactive chemicals	5.46	40.39	0.06	0.00	0.00	0.49	0.20	0.00	46.60
F	Paints, resins, inks, organic sludges	1589.43	15747.75	2078.81	215.59	309.58	4.08	0.03	1.30	19946.56
G	Organic solvents	396.86	1782.19	807.80	190.58	383.11	240.65	23.27	0.00	3824.46
H	Pesticides	154.10	52.06	500.20	41.26	25.76	5.00	2.47	0.00	780.85
J	Oils	4451.96	1080.85	323.50	4.50	714.20	97.93	1074.31	1169.71	8916.96
K	Putrescible/organic waste	1724.72	870.17	16.00	0.00	0.00	23.00	25.75	0.00	2659.64
L	Industrial washwater	1457.07	0.00	1.50	0.00	0.00	0.00	0.00	0.00	1458.57
M	Organic chemicals	1210.17	79.44	7.60	10.08	73.90	93.31	0.00	0.10	1474.60
N	Soil/sludge	2649.39	42.27	45.92	0.00	3.37	0.00	17.83	25.00	2783.78
R	Clinical & pharmaceutical	576.41	1532.24	0.00	0.00	0.00	25.04	105.47	78.72	2317.88
T	Misc.	39.15	41.30	31.18	0.00	5.00	1.13	28.87	0.26	146.89
	Total (tonnes)	28099.63	39077.14	16639.86	555.95	7030.34	4778.14	1285.91	1279.22	98746.19





Figure (6): Movements of Controlled Waste within Australia



PART 5 — REPORTS ON IMPLEMENTATION BY JURISDICTIONS

The Annexes to this report are in Appendix 6:

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Annex 6: South Australia	page 177
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