



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

2003 – 2004

‘The high degree of cooperation between jurisdictions and the ready acceptance of the system by industry demonstrate that the NEPM is an effective tool to ensure that controlled waste is properly identified, notified, transported and handled.’



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

Clause 13(1) of the NEPM states that:

In order to facilitate reporting on the implementation and effectiveness of the NEPM, the relevant agency of each participating State and Territory should provide collated summary information on the:

- (i) movement of controlled waste into each jurisdiction, indicating jurisdiction of origin, waste code and quantity of waste;
- (ii) level of discrepancies (e.g. non-arrival of a consignment) as a percentage of total authorised controlled waste movements; and
- (iii) benefits arising from the implementation of the Measure.



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 5: 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. An amendment to the Regulation to grant geographic and beneficial reuse exemptions permitted under the NEPM has been drafted and is expected to commence in the next reporting year.
Victoria	<ul style="list-style-type: none"> The <i>Environment Protection Act 1970</i>, the <i>Environment Protection (Prescribed Waste) Regulations 1998</i>, and the <i>Industrial waste management policy (Movement of Controlled Waste between States and Territories)</i> are the key legislative instruments.
Queensland	<ul style="list-style-type: none"> The <i>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> form the primary legislative instrument. Amendments to the <i>Environmental Protection (Controlled Waste) Regulations 2001</i> were finalised and are expected to be gazetted in July 2004.
South Australia	<ul style="list-style-type: none"> Under section 28A of the <i>Environment Protection Act 1993</i> the NEPM operates as an <i>Environment Protection Policy</i>. 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 <i>Environmental Management and Pollution Control Act 1994</i> are the key legislative instruments.
Australian Capital Territory	<ul style="list-style-type: none"> The <i>Environment Protection Act 1997</i> and <i>Division 4 – (Transport of Controlled Waste)</i> 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. Licensing of listed waste transporters commenced under the Act in this reporting year.



Council assessment of implementation frameworks

Jurisdictions continue to implement the NEPM through appropriate frameworks and are working together to develop a consistent approach to implementation by updating relevant legislation.

Implementation activities

Table 6: 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"> In 2003-04, there was an increase in the level of non-matching documentation. A compliance campaign is planned for 2004-05 to improve performance in this area. 224 new consignment authorisations were issued.
Victoria	<ul style="list-style-type: none"> 462 new consignment authorisations were issued, declining from 680 in the previous reporting year. Despite the drop in overall applications, there were increases in the number of new applicants. This indicates that producers are fulfilling requirements for the movement of controlled waste.
Queensland	<ul style="list-style-type: none"> Queensland EPA has streamlined its administrative process for the NEPM to ensure that controlled wastes are appropriately managed. 222 new consignment authorisations were issued and 921 movements were tracked into Queensland.
Western Australia	<ul style="list-style-type: none"> A web-based interactive tracking system has been implemented. The system is providing improved enforcement and information on volumes and categories of controlled waste transported. The proposed amendments to the Regulations will tighten the requirements on intrastate transport movements and provide for statewide implementation.
South Australia	<ul style="list-style-type: none"> The EPA continues to administer the NEPM under well-established protocols. 154 new consignment authorisations were issued.
Tasmania	<ul style="list-style-type: none"> Tasmania is seeking to strengthen its requirements of waste transport companies through the introduction of waste transport certificates.
Australian Capital Territory	<ul style="list-style-type: none"> Clinical waste and PCBs transported to disposal facilities in the Australian Capital Territory are being tracked.
Northern Territory	<ul style="list-style-type: none"> The Northern Territory is currently not a receiving jurisdiction for controlled waste but continues to track movements interstate.



Council evaluation and assessment of jurisdictional implementation activities

Jurisdictions continue to make sound progress in implementing and improving the operation of the NEPM. Improvements have been made in the areas of tracking systems, streamlining of administrative processes and strengthening of legislation.

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

The Review of the Controlled Waste NEPM was completed during the reporting year. Eleven recommendations have been proposed for consideration by the National Environment Protection Council. The process for a minor variation to the NEPM has been initiated to implement four recommendations which directly affect the scope of the NEPM. Seven recommendations relate to the implementation of the NEPM. A copy of the report can be downloaded from www.ephc.gov.au.

PART 3 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM is providing an effective means to monitor the movement of controlled waste. Jurisdictions are working cooperatively to administer the NEPM and ensure an efficient system for the tracking of controlled waste. Ongoing cooperation between the jurisdictions is essential to ensuring a consistent approach to the implementation of the NEPM.

Industry compliance continues to be high as the NEPM provides clear guidelines on the transport of controlled waste across state and territory borders. The NEPM provides an effective means of information transfer between jurisdictions and emergency response agencies about the movement of controlled waste.

The high degree of cooperation between jurisdictions and the ready acceptance of the system by industry demonstrate that the NEPM is an effective tool to ensure that controlled waste is properly identified, notified, transported and handled.

The Review of the Controlled Waste NEPM found that there were no significant effectiveness issues. This indicates that the NEPM is working well. Nevertheless, the review suggested changes to streamline the implementation of the NEPM. These changes would be made through a minor variation to the NEPM, which will allow some controlled waste, under strict conditions, to be either excluded from the scope of the NEPM or exempted from certain provisions.

PART 4 — REPORTING REQUIRED BY THE NEPM

The jurisdictional reports in Part 5 provide information from 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; the waste classes group the 73 categories of waste streams and constituents listed in Schedule A of the NEPM into 15 broader types.

Table 7: Summary of total movements of controlled waste within Australia
 — imports by states and territories for the period
 1 July 2003 – 30 June 2004

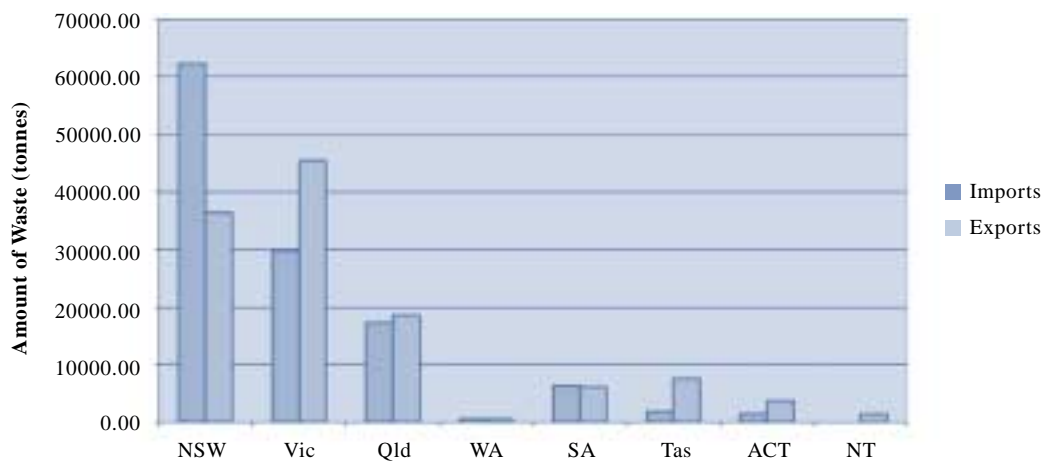
Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
A	Plating & heat treatment	0.00	0.30	26.54	0.00	4.98	0.00	0.00	0.00	31.82
B	Acids	7185.94	326.88	106.02	0.00	26.16	0.00	0.00	0.00	7645.00
C	Alkalis	27.32	916.01	42.94	0.00	7.86	0.00	0.00	0.00	994.13
D	Inorganic chemicals	41045.01	16024.83	277.03	72.60	5493.41	752.71	0.00	0.00	63665.59
E	Reactive chemicals	0.02	15.78	6.50	0.00	6.30	0.00	0.00	0.00	28.60
F	Paints, resins, inks, organic sludges	3970.15	2976.09	9284.07	0.00	0.00	0.00	0.00	0.00	16230.31
G	Organic solvents	1878.27	967.17	2.40	0.00	59.14	0.00	0.00	0.00	2906.98
H	Pesticides	687.81	200.38	43.52	0.00	0.22	0.00	0.00	0.00	931.93
J	Oils	3262.22	5387.72	5458.33	0.52	635.58	180.03	439.50	0.00	15363.90
K	Putrescible/organic waste	2259.79	710.25	820.90	0.00	0.00	39.44	0.00	0.00	3830.38
L	Industrial washwater	0.00	1254.46	0.00	0.00	0.00	0.00	0.00	0.00	1254.46
M	Organic chemicals	10.40	876.86	925.10	42.30	0.00	0.00	236.69	0.00	2091.35
N	Soil/sludge	268.71	44.41	47.11	432.50	0.00	946.07	0.00	0.00	1738.80
R	Clinical & pharmaceutical	1499.99	75.47	127.29	0.00	57.60	0.00	865.50	0.00	2625.85
T	Misc.	125.34	34.38	157.51	20.00	34.44	0.18	0.00	0.00	371.85
	Total (tonnes)	62220.97	29810.99	17325.26	567.92	6325.69	1918.43	1541.69	0.00	119710.95

Table 8: Summary of total movements of controlled waste within Australia
— exports by states and territories for the period
1 July 2003 – 30 June 2004

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
A	Plating & heat treatment	26.54	4.98	0.00	0.00	0.00	0.30	0.00	0.00	31.82
B	Acids	373.57	7166.40	23.63	23.75	0.00	44.20	3.51	9.94	7645.00
C	Alkalis	216.39	0.00	10.82	0.00	741.26	1.30	16.50	7.86	994.13
D	Inorganic chemicals	17726.13	19687.89	15046.45	5.14	4452.31	6673.46	15.65	58.56	63665.59
E	Reactive chemicals	15.01	12.80	0.03	0.00	0.02	0.72	0.02	0.00	28.60
F	Paints, resins, inks, organic sludges	1989.02	11589.81	1936.49	340.57	262.59	94.03	17.80	0.00	16230.31
G	Organic solvents	700.64	1039.68	535.34	109.14	307.12	136.36	74.55	4.15	2906.98
H	Pesticides	160.67	11.02	682.63	39.97	32.91	0.24	4.27	0.22	931.93
J	Oils	9954.10	1742.83	103.91	0.00	109.40	80.10	2108.46	1265.10	15363.90
K	Putrescible/organic waste	1531.15	1805.33	0.00	0.00	0.00	0.00	493.90	0.00	3830.38
L	Industrial washwater	1254.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1254.46
M	Organic chemicals	1164.36	239.21	1.80	89.31	83.99	500.23	0.60	11.85	2091.35
N	Soil/sludge	491.52	33.84	189.62	0.00	54.75	0.00	969.07	0.00	1738.80
R	Clinical & pharmaceutical	511.76	2004.08	0.00	0.00	13.91	0.80	54.83	40.47	2625.85
T	Misc.	215.10	28.80	104.80	0.00	0.00	1.78	19.07	2.30	371.85
	Total (tonnes)	36330.42	45366.67	18635.52	607.88	6058.26	7533.52	3778.23	1400.45	119710.95



Figure 2: Movements of Controlled Waste within Australia



PART 5 — REPORTING REQUIRED BY THE NEPM

The Annexes to this report are in Appendix 6:

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