



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

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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.

In December 2004, in response to the review of the NEPM in 2003–04, the NEPC made a minor variation to the NEPM to:

- exclude national recalls made by either the Australian Pesticides and Veterinary Medicines Authority, Food Standards Australia New Zealand, or the Therapeutic Goods Administration
- exempt approved extended producer responsibility and recycling schemes.

The 2003–04 Review also made strategic recommendations about the importance of information sharing and cooperation, and the importation of hazardous waste for final disposal. The EPH Standing Committee referred these recommendations to the EPHC Waste Working Group and the Commonwealth Department of the Environment and Heritage respectively.

Legislative, regulatory and administrative framework

Table 5: Summary of implementation frameworks

Jurisdiction	Summary of implementation frameworks
Commonwealth	<ul style="list-style-type: none"> • The NEPM is implemented through administrative arrangements. Relevant state and territory tracking and reporting systems are used to move Commonwealth 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 the conditions of relevant environment protection licences.
Victoria	<ul style="list-style-type: none"> • The <i>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) 2001 are the key legislative instruments.
Queensland	<ul style="list-style-type: none"> • The <i>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 2004 is the primary legislative instrument.
South Australia	<ul style="list-style-type: none"> • The NEPM operates as an Environment Protection Policy under the <i>Environment Protection Act 1993</i> and is implemented through conditions of 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 the Environment Protection Regulation 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.



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.

Implementation activities

Table 6: Summary of implementation activities

Jurisdiction	Summary of implementation activities
Commonwealth	<ul style="list-style-type: none"> Commonwealth agencies affected by the NEPM incorporated its requirements into their environment management systems and used contractors that operate under state and territory environmental licensing systems.
New South Wales	<ul style="list-style-type: none"> Development of an Internet-based tracking system commenced. A review of the Protection of the Environment Operations (Waste) Regulation commenced. 234 new consignment authorisations were issued, involving 76 371 tonnes of controlled waste in 4407 movements.
Victoria	<ul style="list-style-type: none"> 405 new consignment authorisations were issued, involving 36 743 tonnes of controlled waste in 2744 movements.
Queensland	<ul style="list-style-type: none"> 177 new consignment authorisations were issued, involving 9211 tonnes of controlled waste in 643 movements; 11 consignment applications were refused.
Western Australia	<ul style="list-style-type: none"> 1350 tonnes of controlled waste in 32 movements was tracked into Western Australia.
South Australia	<ul style="list-style-type: none"> 12 371 tonnes of controlled waste in 765 movements was tracked into South Australia.
Tasmania	<ul style="list-style-type: none"> 795 tonnes of controlled waste in 52 movements was tracked into Tasmania.
Australian Capital Territory	<ul style="list-style-type: none"> 62 new consignment authorisations were issued, involving 1107 tonnes of controlled waste in 1005 movements.
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 continued to implement and improve the operation of the NEPM in the areas of tracking systems and streamlining of administrative processes.

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 management of controlled wastes.

PART 3 — ASSESSMENT OF NEPM EFFECTIVENESS

The NEPM is providing an effective means of monitoring 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.

Some issues noted by jurisdictions included:

- occasional confusion caused by differences in interstate and intrastate tracking systems
- a lack of uniformity between state tracking systems
- a lack of understanding and compliance against NEPM requirements for the used tyre and lead acid battery industries.

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

PART 4 – REPORTING REQUIRED BY THE NEPM

The jurisdictional reports in Part 5 provide information from each state and territory. The tables on pages 38–39 provide a national summary of the data for 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 2004 to 30 June 2005

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
A	Plating & heat treatment	17.30	0.00	14.00	0.00	9.88	0.00	0.00	0.00	41.18
B	Acids	10375.49	208.95	211.69	3.00	50.20	0.05	0.00	0.00	10849.38
C	Alkalis	25.50	1939.80	52.64	0.00	10.47	0.00	0.00	0.00	2028.41
D	Inorganic chemicals	51881.03	20461.30	59.96	144.00	10874.20	613.26	0.00	0.00	84033.75
E	Reactive chemicals	0.03	5.86	20.00	0.00	5.05	0.00	0.00	0.00	30.94
F	Paints, resins, inks, organic sludges	3261.91	3388.33	208.53	0.00	80.23	0.27	0.00	0.00	6939.27
G	Organic solvents	667.56	859.58	8.76	13.60	204.07	0.00	0.00	0.00	1753.57
H	Pesticides	945.24	305.08	19.99	719.40	0.69	0.00	0.00	0.00	1990.40
J	Oils	3958.30	6558.56	3384.35	22.60	968.80	170.60	0.00	0.00	15063.21
K	Putrescible/organic waste	3319.16	108.12	1401.25	0.00	0.00	0.86	0.00	0.00	4829.39
L	Industrial washwater	0.00	2054.78	0.00	0.00	0.00	0.00	0.00	0.00	2054.78
M	Organic chemicals	70.22	754.17	1300.62	387.60	2.02	2.62	588.02	0.00	3105.27
N	Soil/sludge	369.81	52.42	289.55	29.80	41.52	6.75	0.00	0.00	789.85
R	Clinical & pharmaceutical	1294.33	29.13	2233.07	0.00	85.87	0.24	518.89	0.00	4161.53
T	Misc.	185.42	16.92	6.67	30.00	37.73	0.68	0.00	0.00	277.42
Total (tonnes)		76371.30	36743.00	9211.08	1350.00	12370.73	795.33	1106.91	0.00	137948.35

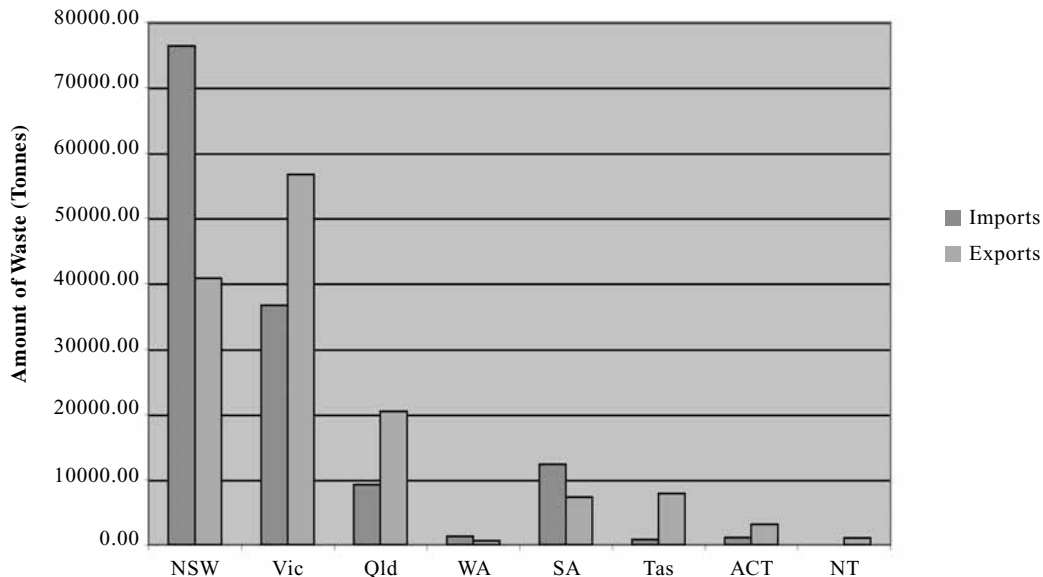
*Table 8: Summary of total movements of controlled waste within Australia
exports by states and territories for the period
1 July 2004 to 30 June 2005*

Code	Description	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
A	Plating & heat treatment	19.21	4.21	17.76	0.00	0.00	0.00	0.00	0.00	41.18
B	Acids	370.71	10346.60	0.81	21.00	5.87	36.75	61.44	6.20	10849.38
C	Alkalis	120.40	0.50	0.00	4.20	1871.70	0.34	25.00	6.27	2028.41
D	Inorganic chemicals	19420.41	36230.42	16547.51	95.53	4775.30	6944.06	19.32	1.20	84033.75
E	Reactive chemicals	4.32	24.69	0.00	0.60	0.30	0.64	0.03	0.36	30.94
F	Paints, resins, inks, organic sludges	2801.42	1720.26	1757.22	302.07	232.61	34.74	30.42	60.53	6939.27
G	Organic solvents	637.80	378.92	218.95	123.00	219.42	71.51	49.36	54.61	1753.57
H	Pesticides	953.24	2.83	936.92	48.55	46.77	0.71	0.69	0.69	1990.40
J	Oils	8655.11	3212.88	465.65	0.00	75.70	649.19	1215.64	789.04	15063.21
K	Putrescible/organic waste	1507.77	1730.18	79.30	0.00	1.60	0.00	1510.54	0.00	4829.39
L	Industrial washwater	2054.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2054.78
M	Organic chemicals	2512.82	219.39	164.90	24.14	3.67	148.57	11.33	20.45	3105.27
N	Soil/sludge	357.59	47.97	251.03	0.00	84.96	0.00	39.10	9.20	789.85
R	Clinical & pharmaceutical	1337.80	2570.85	1.11	0.00	12.20	12.15	145.55	81.87	4161.53
T	Misc.	45.53	151.24	2.95	0.00	1.72	3.39	34.86	37.73	277.42
Total (tonnes)		40798.91	56640.94	20444.11	619.09	7331.82	7902.05	3143.28	1068.15	137948.35





Figure 2: 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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