Queensland

Environmental Protection Act 1994

ENVIRONMENTAL PROTECTION (WASTE MANAGEMENT) REGULATION 2000

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Queensland

ENVIRONMENTAL PROTECTION (WASTE MANAGEMENT) REGULATION 2000

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ENVIRONMENTAL PROTECTION (WASTE MANAGEMENT) REGULATION 2000

[reprinted as in force on 27 July 2000]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Environmental Protection (Waste Management) Regulation 2000*.

Commencement

2.(1) Part 4, division 3, subdivision 1 commences on 1 July 2001.[1]

(2) Section 64 commences on 1 January 2002.[2]

(3) Section 65 commences on 1 January 2008.[3]

(4) Section 69 commences on 1 July 2001.[4]

(5) The remaining provisions of this regulation commence on 1 July 2000.

Definitions

3. The dictionary in schedule 9 defines particular words used in this regulation.

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1 Part 4 (Waste tracking), division 3 (Obligations of waste handlers), subdivision 1 (Transportation within Queensland)

2 Section 64 (Use of equipment containing concentrated PCB material)

3 Section 65 (Use of equipment containing scheduled PCB material)

4 Section 69 (Transitional—definition "trackable waste" for intrastate transportation)

Object of this regulation

4. The object of this regulation is to protect the environment by—

(a) minimising the impact of waste on the environment including, in particular, the impact of waste so far as it directly affects human health; and

(b) establishing an integrated framework for minimising and managing waste under the principles of ecologically sustainable development.

Application in relation to sewerage and stormwater drainage

5. This regulation does not apply to the release of a contaminant to a sewerage or stormwater drainage within the meanings given by the *Sewerage and Water Supply Act 1949*, section 17A.[5]

PART 2—LITTER AND RELATED MATTERS

Meaning of "dispose" for pt 2

6. For this part, a person **"disposes"** of litter or other waste at a place if the person—

(a) throws, drops or otherwise puts the litter or waste on the place; or

(b) leaves the litter or waste at the place; or

(c) deals with the litter or waste in a way that causes or allows it to fall, blow, wash or otherwise escape onto the place.

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5 *Sewerage and Water Supply Act 1949*, section 17A (Prohibition on discharge of prohibited substances and trade waste) contains the following definitions—
"sewerage" means a sewer, access chamber, vent, engine, pump, structure, machinery, outfall or other work used to receive, store, transport or treat sewage.
"stormwater drainage" means a drain, channel, pipe, chamber, structure, outfall or other work used to receive, store, transport or treat stormwater.

Examples for paragraph (c)—

A person disposes of litter on a road if the person—

(a) transports the litter in a trailer in a way that causes the litter to be blown out of the trailer and onto the road; or

(b) leaves the litter on private land where it is then washed by rain onto the road.

Unlawful disposal

7. For this part, the disposal of litter or other waste at a place by a person is unlawful unless—

(a) the person is an occupier of the place; or

(b) the person carries out the disposal with the consent of an occupier of the place; or

(c) the person disposes of the litter or waste by placing it in a litter bin.

Littering

8. A person must not unlawfully dispose of litter at a place.

Maximum penalty—20 penalty units.

Waste dumping

9. A person must not unlawfully dispose of more than 20 L of waste at a place.

Maximum penalty—

(a) for an unlawful disposal of more than 200 L of waste—165 penalty units; or

(b) otherwise—40 penalty units.

Defence

10. It is a defence to a charge of an offence against this part, for

unlawfully disposing of litter or other waste, for a person to show the person—

(a) took all reasonable and practicable measures to prevent the disposal; or

(b) has a reasonable excuse for the disposal.

PART 3—WASTE RECEIVAL AND DISPOSAL

Definition for pt 3

11. In this part—

"waste facility" means a facility, mentioned in the *Environmental Protection Regulation 1998*, schedule 1, for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste.

Unlawful disposal of waste at waste facility

12.(1) A person must not deposit the following waste at a waste facility—

(a) liquid or semiliquid waste;

(b) hot ash;

(c) material that is smouldering or aflame;

(d) material that can spontaneously combust;

(e) material containing a substance that may be harmful to persons or property because, if it reacts with air or water, it may produce toxic gases or become corrosive or explosive;

(f) an explosive;

(g) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an

explosive reaction.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to waste deposited with the consent of—

(a) the person who holds the environmental authority for the facility; or

(b) the person in charge of the facility.

Restrictions on burning waste at waste facility

13. A person must not set fire to, or burn, waste at a waste facility other than—

(a) under an environmental authority; or

(b) under the *Fire and Rescue Authority Act 1990*.

Maximum penalty—20 penalty units.

Restrictions on use of waste facility

14.(1) A person must not, without the consent of a waste facility's owner or operator—

(a) enter the facility other than to deposit waste; or

(b) remain on the facility after depositing waste; or

(c) interfere with waste at, or remove waste from, the facility.

Maximum penalty—10 penalty units.

(2) Subsection (1) does not apply to—

(a) the facility's owner or operator; or

(b) an authorised person.

Waste transporter to comply with directions and give information

15.(1) This section applies to a person who transports waste to a waste facility.

(2) The person must—

(a) comply with all relevant and reasonable directions contained in any sign displayed at the facility by the facility's owner or operator; and

(b) deal with the waste in accordance with reasonable instructions given by the person in charge of the facility; and

(c) if asked by the facility's owner or operator—give information to the owner or operator about the type and amount of waste being delivered.

Maximum penalty—10 penalty units.

PART 4—WASTE TRACKING

Division 1—Preliminary

Object of pt 4

16.(1) This part concerns the transportation of certain regulated waste.

(2) The object of this part is to ensure the administering authority has the information it needs to manage the environmental risks from the waste.

(3) To achieve the object, this part provides for the persons involved in the transportation to—

(a) keep records; and

(b) pass on information to other persons involved in the transportation; and

(c) give information to the administering authority.

Waste transportation to which this part applies

17.(1) This part applies to the transportation of regulated waste of a type stated in schedule 1 (**"trackable waste"**).

(2) However, this part does not apply to—

(a) the non-commercial transportation of less than 250 kg of trackable waste; or

(b) the transportation of trackable waste in a pipeline; or

(c) the transportation of trackable waste under an exemption given by the administering authority under section 39;[6] or

(d) the transportation of trackable waste in a container if—

(i) the amount of trackable waste is not more than 5% of the capacity of the container; and

(ii) the container is being transported to a place to be refilled with the same substance as the waste, without undergoing a process before the refilling; or

(e) the transportation of power station fly ash to a place for use—

(i) as a raw material in the production of cement, concrete or plastic; or

(ii) in the construction of a road; or

(iii) in the treatment of waste in a way that involves combining the waste with the ash; or

(f) the transportation of trackable waste to a registered laboratory for analysis; or

(g) the transportation of trackable waste to a place for use as stock food; or

(h) the transportation of trackable waste to a farm for use as a soil conditioner or fertiliser.

Waste handlers

18.(1) If there is a transportation of waste to which this part applies,[7] the following persons are the waste handlers for the waste—

6 Section 39 (Exemptions)

7 See section 17 (Waste transportation to which this part applies).

(a) the person (the **"generator"**) from whom the trackable waste is transported (whether the person generated the waste or received it from someone else);

(b) the person (the **"transporter"**) who transports the waste;

(c) the person (the **"receiver"**) to whom the waste is transported.

(2) If a person acts in more than 1 of the capacities mentioned in subsection (1), the person must comply with this part for each of the capacities.

Example—

A person generates a load of trackable waste and transports it to someone else for treatment. The first person must comply with this part, in relation to the load, as both the generator and transporter of the waste.

Division 2—Prescribed matters for giving of information

Prescribed information

19. For this part, the **"prescribed information"** that a waste handler must record, or give to the administering authority or another waste handler, is the relevant information stated in schedule 2.[8]

Prescribed way of giving information

20. For this part, the **"prescribed way"** of giving information about waste to the administering authority is—

(a) giving the information in the prescribed form;[9] or

(b) giving the information in another way the administering executive has approved under section 37.[10]

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8 Schedule 2 (Prescribed information for waste tracking)

9 See section 36 (Giving information to administering authority in prescribed form).

10 Section 37 (Approval of ways of giving information to administering authority)

Prescribed time for giving information

21. For this part, the **"prescribed time"** for giving information about waste to the administering authority is—

(a) if the information is given in the prescribed form—7 days; or

(b) if the information is given in another way approved under section 37—the time stated as the prescribed time under the approval.

Division 3—Obligations of waste handlers

Subdivision 1—Transportation within Queensland [11]

Application of subdiv 1

22. *This subdivision applies to the transportation of trackable waste from a generator in Queensland to a receiver in Queensland.*

Responsibilities of generator

23.(1) *When the generator gives the waste to the transporter, the generator must—*

(a) record the prescribed information about the waste; and

(b) give to the transporter the prescribed information about the waste.

Maximum penalty—20 penalty units.

(2) *The generator must give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed time after giving the waste to the transporter.*

Maximum penalty—20 penalty units.

11 Part 4, division 3, subdivision 1 (ss 22–26) had not commenced on or before the reprint date.

(3) *The generator must keep the record mentioned in subsection (1)(a) for at least 5 years.*

Maximum penalty—20 penalty units.

Responsibilities of transporter

24.(1) *While transporting the waste in Queensland, the transporter must carry a document containing the information received from the generator under section 23.*

Maximum penalty—20 penalty units.

(2) *When the transporter gives the waste to the receiver, the transporter must—*

(a) record the prescribed information about the waste; and

(b) give to the receiver the prescribed information about the waste.

Maximum penalty—20 penalty units.

(3) *As soon as practicable after becoming aware of a discrepancy in information received from the generator under section 23, the transporter must give written notice of the discrepancy to the administering authority.*

Maximum penalty—20 penalty units.

(4) *The transporter must keep the record mentioned in subsection (2)(a) for at least 5 years.*

Maximum penalty—20 penalty units.

Responsibilities of receiver

25.(1) *When the transporter gives the waste to the receiver, the receiver must record the prescribed information about the waste.*

Maximum penalty—20 penalty units.

(2) *The receiver must give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed time after receiving the waste from the transporter.*

Maximum penalty—20 penalty units.

(3) *As soon as practicable after becoming aware of a discrepancy in the information received from the transporter under section 24, the receiver must give written notice of the discrepancy to the administering authority.*

Maximum penalty—20 penalty units.

(4) *The receiver must keep the record mentioned in subsection (1) for at least 5 years.*

Maximum penalty—20 penalty units.

Responsibilities of waste handler acting in more than 1 capacity

26.(1) *If a person is both the generator and the transporter—*

(a) section 23(1)(b) does not apply; and

(b) section 23 otherwise applies as if a reference to the generator giving the waste to the transporter were a reference to the person starting the transportation; and

(c) section 24(1) applies as if a reference to the information received from the generator were a reference to the information recorded by the person; and

(d) section 24(3) does not apply.

(2) *If a person is both the transporter and the receiver—*

(a) section 24(2)(b) does not apply; and

(b) section 25(3) does not apply; and

(c) sections 24 and 25 otherwise apply as if a reference to the transporter giving the waste to the receiver were a reference to the person completing the transportation.

Subdivision 2—Transportation into Queensland

Application of subdiv 2

27. This subdivision applies to the transportation of trackable waste from a generator outside Queensland to a receiver in Queensland.

Responsibilities of transporter

28.(1) The transporter must not transport the waste into Queensland unless the administering authority has assigned a consignment number to the load being transported.[12]

Maximum penalty—20 penalty units.

(2) Before transporting the waste into Queensland, the transporter must obtain from the generator the information about the waste prescribed for section 23(1)(b), other than a load number.

(3) While transporting the waste in Queensland, the transporter must carry a document—

(a) stating the consignment number assigned to the load by the administering authority; and

(b) containing the information mentioned in subsection (2).

Maximum penalty—20 penalty units.

(4) When the transporter gives the waste to the receiver, the transporter must—

(a) record the prescribed information about the waste; and

(b) give to the receiver the prescribed information about the waste.

Maximum penalty—20 penalty units.

(5) As soon as practicable after becoming aware of a discrepancy in information obtained under subsection (2), the transporter must give written notice of the discrepancy to the administering authority.

Maximum penalty—20 penalty units.

(6) The transporter must keep the record mentioned in subsection (4)(a) for at least 5 years.

Maximum penalty—20 penalty units.

12 See section 38 (Consignment numbers for waste transported into Queensland).

Responsibilities of receiver

29.(1) When the transporter gives the waste to the receiver, the receiver must record the prescribed information about the waste.

Maximum penalty—20 penalty units.

(2) The receiver must give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed time after receiving the waste from the transporter.

Maximum penalty—20 penalty units.

(3) As soon as practicable after becoming aware of a discrepancy in the information received from the transporter under section 28, the receiver must give written notice of the discrepancy to the administering authority.

Maximum penalty—20 penalty units.

(4) The receiver must keep the record mentioned in subsection (1) for at least 5 years.

Maximum penalty—20 penalty units.

Responsibilities of waste handler acting in more than 1 capacity

30. If a person is both the transporter and the receiver—

(a) section 28(4)(b) does not apply; and

(b) section 29(3) does not apply; and

(c) sections 28 and 29 otherwise apply as if a reference to the transporter giving the waste to the receiver were a reference to the person completing the transportation.

Subdivision 3—Transportation out of Queensland

Application of subdiv 3

31. This subdivision applies to the transportation of trackable waste from a generator in Queensland to a receiver outside Queensland.

Responsibilities of generator

32.(1) When the generator gives the waste to the transporter, the generator must—

(a) record the prescribed information about the waste; and

(b) give to the transporter the prescribed information about the waste.

Maximum penalty—20 penalty units.

(2) The generator must give the prescribed information about the waste to the administering authority in the prescribed way and within the prescribed time after giving the waste to the transporter.

Maximum penalty—20 penalty units.

(3) The generator must keep the record mentioned in subsection (1)(a) for at least 5 years.

Maximum penalty—20 penalty units.

Responsibilities of transporter

33.(1) While transporting the waste in Queensland, the transporter must carry a document containing the information received from the generator under section 32.

Maximum penalty—20 penalty units.

(2) As soon as practicable after becoming aware of a discrepancy in information received from the generator under section 32, the transporter must give written notice of the discrepancy to the administering authority.

Maximum penalty—20 penalty units.

Responsibilities of waste handler acting in more than 1 capacity

34. If a person is both the generator and the transporter—

(a) section 32(1)(b) does not apply; and

(b) section 32 otherwise applies as if a reference to the generator giving the waste to the transporter were a reference to the person starting the transportation; and

(c) section 33(1) applies as if a reference to the information received from the generator were a reference to the information recorded by the person; and

(d) section 33(2) does not apply.

Division 4—Miscellaneous

Application of provisions to agents

35.(1) This section applies if—

(a) a waste handler is required by a provision of division 3 (the **"waste tracking provision"**) to do something; and

(b) the waste handler enters a written agreement with another person (the **"agent"**) to do the thing for the waste handler; and

(c) the agreement states that the agent is aware of subsection (3).

(2) It is a defence to a charge of contravening the waste tracking provision for the waste handler to show—

(a) the waste handler entered the agreement with the agent; and

(b) the contravention was directly caused by a failure of the agent to do something in compliance with the agreement.

(3) The waste tracking provision applies to the agent, to the extent the agent has agreed to do something required by the provision, as if a reference in the provision to the waste handler were a reference to the agent.

Giving information to administering authority in prescribed form

36.(1) The chief executive must prepare forms (the **"prescribed forms"**) for use in giving information to the administering authority under division 3.

(2) Each form must be marked with a different number (consisting of numbers, letters or both) for use as a load number.

(3) The chief executive must make the forms available, free of charge or on payment of a reasonable fee, at the department's head office.

(4) If a person obtains a prescribed form from the chief executive and uses it to give information to the administering authority under division 3 about the transportation of trackable waste, the number marked on the form under subsection (2) is the load number for the waste.

Approval of ways of giving information to administering authority

37.(1) A person may apply to the administering executive for approval of a particular way of giving information to the administering authority under division 3.

(2) The applicant must—

(a) give the administering executive the information the executive reasonably requires to decide the application; and

(b) pay, within the time required by the executive, the reasonable fee required by the executive for assessing the application.

(3) If the applicant does not comply with subsection (2), the application lapses.

(4) The administering executive may approve the way if the executive is satisfied—

(a) it is a reliable, effective, timely and efficient way for the information to be given to the administering authority; and

(b) the information will be secure while it is being given; and

(c) the information will be given in a form that enables the authority to access, record and otherwise deal with it; and

(d) it includes a system for assigning a unique and appropriate load number (consisting of numbers, letters or both) to each transportation of waste for which information is given; and

(e) it would otherwise be an appropriate way for the information to be given.

Example—

The administering executive may approve a system under which a person transmits information from the person's database direct to the administering authority in a particular electronic form. Under the system, the information given

about the transportation of a load includes a load number consisting of the first 3 letters of the transporter's name, the date and the number of the load being transported on that day.

(5) The approval may be given on reasonable conditions.

(6) The approval must state the prescribed time for giving the information in that way.[13]

(7) If the administering executive has not decided the application by the due day, the application is taken to have been refused.

(8) A decision on the application is a decision to which chapter 6, part 3[14] of the Act applies, and the applicant is the dissatisfied person for the decision.

(9) The administering executive must record the details of the approved way on the register.

(10) To remove doubt, it is declared that the administering executive may approve, under this section, a way of giving information, even though no one has applied for the approval.

(11) In this section—

"due day", for deciding an application, means—

(a) the sixtieth day after the application is made, not including a day the administering executive asks for information under subsection (2)(a), a day the applicant gives the requested information, and any days in between; or

(b) any later day agreed on by the executive and the applicant.

Consignment numbers for waste transported into Queensland

38.(1) A person may apply to the administering executive for a consignment number for a load of trackable waste to be transported into Queensland from another State.

(2) The application must be in the approved form.

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13 See section 21 (Prescribed time for giving information).

14 Chapter 6 (Administration), part 3 (Review of decisions and appeals) of the Act

(3) The applicant must give to the administering executive any of the following information that the executive requests—

(a) information mentioned in schedule 2, section 1,[15] about the load;

(b) information the executive reasonably needs to make a decision on the application under subsection (4).

(4) The administering executive must grant the application if the executive is satisfied—

(a) the intended transporter has any environmental authority required under the Act to transport the waste to the intended receiver; and

(b) the intended receiver has any environmental authority required under the Act to carry out the intended treatment.

(5) If the administering executive grants the application, the executive must assign a consignment number to the load and give written notice of the consignment number to the applicant.

(6) If the administering executive has not decided the application by the due day, the executive is taken to have refused the application.

(7) A decision on the application is a decision to which chapter 6, part 3[16] of the Act applies, and the applicant is the dissatisfied person for the decision.

(8) In this section—

"due day", for deciding an application, means—

(a) the fifth business day after the application is made, not including a day the administering executive asks for information under subsection (3), a day the applicant gives the requested information, and any days in between; or

(b) any later day agreed on by the administering executive and the applicant.

15 Schedule 2 (Prescribed information for waste tracking), section 1 (Generator)

16 Chapter 6 (Administration), part 3 (Review of decisions and appeals) of the Act

"intended treatment", for trackable waste to be transported into Queensland, means the way that the waste is to be treated, disposed of, stored or otherwise dealt with by the receiver.

Exemptions

39.(1) A person may apply for an exemption for the transportation of particular trackable waste.[17]

(2) The person must give the administering authority the information it reasonably requires to decide the application.

(3) The administering authority may grant the application if it is satisfied the waste does not show any environmentally significant characteristics.

Example—

A person operates a food processing facility. Waste from the facility includes filter cake (a trackable waste), which the person sends away for disposal at the end of each week. The filter cake derives only from the washing of vegetables and consists almost entirely of sand and dirt. Analysis of the filter cake establishes that it does not show any environmentally significant characteristics.

The administering authority decides to give the person an exemption for the transportation of each of these weekly loads. The exemption is given on conditions about the process that generates the filter cake, to ensure it will not show any environmentally significant characteristics.

(4) An exemption may be given on reasonable conditions.

(5) If the administering authority has not decided the application by the due day, it is taken to have refused the application.

(6) A decision on the application is a decision to which chapter 6, part 3[18] of the Act applies, and the applicant is the dissatisfied person for the decision.

(7) The administering authority must record on the register the details of each exemption given under this section.

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17 This part does not apply to the transportation of trackable waste under an exemption granted under this section. See section 17(2)(c) (Waste transportation to which this part applies).

18 Chapter 6 (Administration), part 3 (Review of decisions and appeals) of the Act

(8) In this section—

"due day", for deciding an application, means—

(a) the thirtieth day after the application is made, not including a day the administering authority asks for information it reasonably requires to decide the application, a day the applicant gives the requested information, and any days in between; or

(b) any later day agreed on by the administering authority and the applicant.

"environmentally significant characteristic" means a characteristic mentioned in the NEPM, schedule A, list 2, a copy of which is set out in schedule 3.

"NEPM" means the *National Environment Protection (Movement of Controlled Waste between States and Territories) Measure* made by the National Environment Protection Council, on 26 June 1998, under the *National Environment Protection Council Act 1994* (Cwlth).

Emergencies

40. If a person is charged with an offence against a provision of this part, it is a defence to the charge for the person to prove the act or omission constituting the failure to comply with the provision—

(a) was carried out, or happened, in the exercise of a power under chapter 4, part 5[19] of the Act; or

(b) was carried out, or happened, under an emergency direction; or

(c) was reasonably necessary because of an emergency.

Trackable waste to be given only to licensed transporter

41.(1) A generator of trackable waste must not give the waste to another person to transport it commercially, or in a load of more than 250 kg, in a vehicle unless the other person holds the environmental authority required

[19] Chapter 4 (Investigation and enforcement), part 5 (Emergency powers of authorised persons) of the Act

under the Act for transporting the waste in the vehicle.

Maximum penalty—165 penalty units.

(2) It is a defence to a charge under subsection (1) for the defendant to prove he or she had reasonable grounds for believing the other person had the required environmental authority.

Generator identification number

42. On application by a person in the approved form, the administering executive must assign the person a generator identification number.[20]

PART 5—MANAGEMENT OF CLINICAL AND RELATED WASTES

Division 1—Clinical and related waste management plans

Clinical and related waste management plan required

43. A person must not operate any of the following facilities unless the person has a clinical and related waste management plan for the facility—

(a) a blood bank;

(b) a hospital;

(c) a laboratory;

(d) a multi-service medical clinic;

(e) a veterinary hospital.

Maximum penalty—20 penalty units.

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20 The generator identification number is mentioned in the prescribed information for a generator under schedule 2 (Prescribed information for waste tracking).

Contents of plan

44.(1) In preparing the clinical and related waste management plan, the person must have regard to the waste management hierarchy and principles.

(2) The person must consider including the following in the plan—

(a) a requirement to conduct a comprehensive baseline waste audit for the facility and to monitor waste generated at the facility;

(b) a purchasing policy that incorporates measures to minimise waste generated at the facility through the use of product substitution, product changes, procedural changes and the replacement of disposable items with reusable items;

(c) procedures for segregating waste at the facility;

(d) measures for recycling or reusing waste at the facility;

(e) requirements for storing waste at the facility;

(f) options for treating and disposing of waste generated at the facility;

(g) staff training programs about effective waste management at the facility;

(h) risk management strategies that document contingency plans and emergency procedures in relation to waste generated at the facility, including, for example, in relation to the spillage of waste;

(i) goals to reduce waste generated at the facility to be achieved within stated timeframes;

(j) measures that could be taken to investigate and initiate ways of achieving the goals;

(k) strategies for promoting the plan within the facility;

(l) a mechanism for staff to provide feedback about the plan;

(m) a mechanism to update the plan at regular intervals;

(n) measures to collate and review, on an annual basis, the following statistics about waste generated at the facility—

(i) the type of waste;

(ii) the weight of the waste;

(iii) the volume of the waste;

(iv) the way in which, and the frequency with which, the waste is removed from the facility;

(o) strategies for waste management during any renovation of the facility.

Requirement for plan to be maintained

45. A person who operates premises mentioned in section 43 must ensure the clinical and related waste management plan for the operation is reviewed at least once every 5 years and, if necessary, updated.

Maximum penalty—10 penalty units.

Division 2—Managing clinical and related waste

Segregation of waste

46.(1) A person who operates premises at which clinical or related waste is generated must ensure the waste is segregated into—

(a) the following categories of clinical waste—

(i) animal waste;

(ii) discarded sharps;

(iii) human tissue waste;

(iv) laboratory and associated waste directly resulting from the processing of specimens; and

(b) the following categories of related waste—

(i) chemical waste;

(ii) cytotoxic waste;

(iii) human body parts;

(iv) pharmaceutical waste;

(v) radioactive waste; and

(c) general waste.

Maximum penalty—20 penalty units.

(2) It is a defence to a charge under subsection (1) for the defendant to prove that the waste will be given, for treatment or disposal, to a person who is authorised, under an environmental authority, to receive waste that is not segregated in the way required under subsection (1).

Design requirements for waste containers

47. A person who operates premises at which clinical or related waste is generated must ensure all bags and other containers used at the establishment for the collection, storage, transport or disposal of clinical and related waste mentioned in schedule 4 comply with the requirements in the schedule.[21]

Maximum penalty—20 penalty units.

Sending waste to waste disposal or treatment facility

48.(1) A person who operates premises at which clinical or related waste is generated must not give the waste to someone else for transporting, storage, treatment or disposal who does not have any environmental authority required to transport, store, treat or dispose of the waste.

Maximum penalty—165 penalty units.

(2) It is a defence to a charge under subsection (1) for the defendant to prove he or she had reasonable grounds for believing the other person had the required environmental authority.

Disposal of sharps

49.(1) Subsection (2) applies to a person who—

(a) discards, at domestic premises, a hypodermic needle that has been

21 Schedule 4 (Design requirements for waste containers)

in contact with human or animal tissue or body fluids; or

(b) discards, at a place other than domestic premises, a hypodermic needle; or

(c) discards, at premises at which skin penetration practices are carried out under the *Health Regulation 1996*, part 15, a sharp.

(2) The person must—

(a) place the needle or sharp in a rigid-walled, puncture resistant container; and

(b) seal or securely close the container.

Maximum penalty—20 penalty units.

(3) Subsection (4) applies to a person who discards a needle or other sharp at premises at which clinical or related waste is generated.

(4) The person must place the needle or other sharp in a container that complies with—

(a) the *Australian/New Zealand Standard for Reusable Containers for the Collection of Sharp Items Used in Human and Animal Medical Applications: AS/NZ4261-1994* published by Standards Australia; or

(b) the *Australian Standard for Non-Reusable Containers for the Collection of Sharp Medical Items Used in Health Care Areas: AS 4031-1992* published by Standards Australia.

Maximum penalty—40 penalty units.

(5) Also, a person who discards a needle or other sharp under subsection (2) or (4) must ensure it is not accessible to another person.

Maximum penalty—40 penalty units.

Storage area for clinical or related waste

50. A person who operates premises at which clinical or related waste is generated—

(a) must set aside an area for storing the waste that is not accessible to animals or persons, other than persons who are authorised by

the person operating the premises to enter the area; and

(b) must not store the waste anywhere other than an area mentioned in paragraph (a).

Maximum penalty—20 penalty units.

Clinical waste to be removed within 7 days

51.(1) A person who operates premises at which clinical waste is generated must ensure the waste stored at the premises is treated, or removed for treatment, not more than 7 days, or the longer time approved by the administering authority, after it is generated.

Maximum penalty—40 penalty units.

(2) A person who operates premises at which clinical waste is generated may apply to the administering authority for approval of a time for subsection (1).

(3) In deciding the application, the administering authority must consider—

(a) the amount and type of the waste; and

(b) the facilities and services available for storage, treatment or removal of the waste; and

(c) the way and place the waste is stored; and

(d) anything else it considers relevant.

(4) A decision on an application under subsection (3) is a decision to which chapter 6, part 3[22] of the Act applies, and the applicant is the dissatisfied person for the decision.

Treatment and disposal of clinical or related waste

52. A person who operates premises at which clinical or related waste is generated must ensure the waste is treated and disposed of in accordance

[22] Chapter 6 (Administration), part 3 (Review of decisions and appeals) of the Act

with schedule 5.

Maximum penalty—165 penalty units.

Prohibition on use of waste chutes for movement of clinical or related waste

53. A person must not use a waste chute at premises at which clinical or related waste is generated to move the waste.

Maximum penalty—20 penalty units.

PART 6—MANAGEMENT OF POLYCHLORINATED BIPHENYLS (PCBs)

Division 1—Preliminary

Definitions for pt 6

54. In this part—

"concentrated" see section 55.

"diluent" means a matrix within which PCBs are distributed such as, for example, oil, soil or concrete, but does not include the casing or other solid surrounding the matrix.

"licensed disposal facility" means—

(a) a facility in Queensland authorised to be used under an environmental authority to dispose of PCB waste; or

(b) a facility in another State authorised to be used under a licence, approval or other authority, given under a law of that State, to dispose of PCB waste.

"licensed treatment facility" means—

(a) a facility in Queensland authorised to be used under an

environmental authority to treat PCB material; or

(b) a facility in another State authorised to be used under a licence, approval or other authority, given under a law of that State, to treat PCB material.

"non-scheduled" see section 55.

"PCB" means a polychlorinated biphenyl.

"PCB-free" see section 56.

"PCB material" means—

(a) PCBs that are not in a diluent; or

(b) PCBs in a diluent in a concentration of at least 2 mg/kg.

"PCB waste" means waste that is PCB material.

"scheduled" see section 55.

Types of PCB material

55.(1) This part applies to PCB material according to the amount and concentration of PCBs in it.

(2) PCB material is either scheduled or non-scheduled.

(3) PCB material is **"scheduled"** if—

(a) the concentration of PCBs in the material is at least 50 mg/kg; and

(b) the material contains at least 50g of PCBs.

(4) PCB material is **"concentrated"** if—

(a) the concentration of PCBs in the material is at least 100 000 mg/kg; and

(b) the material contains at least 50g of PCBs.

Deciding if material or equipment is PCB-free

56.(1) For this part—

(a) material is **"PCB-free"** if it is not PCB material; and

(b) equipment is **"PCB-free"** if—

(i) there is no PCB material in the equipment other than on the surface area of the PCB contaminated metal in the equipment; and

(ii) the PCB contaminated metal in the equipment does not have a coverage of PCBs on its surface area of more than 1 mg/m^2, as decided under the guidelines prepared and made available under subsection (2).

(2) The chief executive must—

(a) prepare guidelines for deciding the coverage of PCBs on the surface area of PCB contaminated metal; and

(b) ensure copies of the guidelines are available on request, free of charge or on payment of a reasonable fee, at the department's head office.

(3) In this section—

"PCB contaminated metal", in equipment, means metal that normally comes into contact with PCB material when the equipment is used.

Division 2—Treatment of PCB material

Treatment of PCB material only at licensed facilities

57.(1) A person must not dilute, disaggregate or treat PCB material in any other way at a place other than a licensed treatment facility.

Maximum penalty—165 penalty units.

(2) For this section, a person does not **"treat"** PCB material if the person merely—

(a) removes PCB material from equipment; or

(b) refills equipment containing PCB material for the purpose of the continued operation of the equipment.

Division 3—Disposal of PCB waste

Scheduled PCB waste must be sent for treatment

58.(1) A person who generates scheduled PCB waste must give the waste to a licensed treatment facility, for treatment, within 1 year after the waste is generated.

Maximum penalty—40 penalty units.

(2) It is a defence to a charge of an offence against subsection (1) for a person to show the person has a reasonable excuse for not complying.

Example—

It is a reasonable excuse that there is no licensed treatment facility to which the waste can be given within 1 year after it is generated.

(3) If a person who generates scheduled PCB waste does not comply with subsection (1) because the person has a reasonable excuse, the person must give the waste to a licensed treatment facility, for treatment, as soon as practicable.

Maximum penalty—40 penalty units.

Disposal of PCB waste to a landfill

59. A person must not dispose of scheduled PCB waste or liquid PCB waste to a landfill.

Maximum penalty—165 penalty units.

Division 4—Duties of occupier of place with scheduled PCB material

Application

60. This division applies to a person who occupies a place at which there is an amount of scheduled PCB material containing more than 10 kg of PCBs.

Notice to administering authority

61.(1) The person must give a notice to the administering authority, within 3 months after this division starts to apply to the person, stating—

(a) the person's name and address; and

(b) the date of the notice; and

(c) the prescribed information about the material.

Maximum penalty—10 penalty units.

(2) If there is a change in any of the prescribed information stated in a notice given by a person under this section, the person must give a further notice to the administering authority, not later than 3 months after the change, stating—

(a) the person's name and address; and

(b) the date of the notice; and

(c) the day the change happened; and

(d) the particulars of the change.

Maximum penalty—10 penalty units.

(3) The administering authority must record on the register the information notified under this section.

(4) In this section—

"prescribed information", about the scheduled PCB material at a place, means—

(a) the amount of the material; and

(b) the amount and concentration of PCBs in the material; and

(c) where the material is located at the place.

Emergency plan

62.(1) The person must prepare an emergency plan, within 90 days after this division starts to apply to the person, and must keep the plan up to date.

Maximum penalty—5 penalty units.

(2) In this section—

"emergency plan", for a place, means a plan that addresses—

(a) monitoring and recording—

(i) the amount of scheduled PCB material at the place; and

(ii) where the material is located; and

(iii) access to the material; and

(b) the following issues concerning relevant incidents at the place—

(i) minimising the risks of an incident;

(ii) timely and effective containment of an incident;

(iii) timely and effective clean-up and repairs after an incident;

(iv) managing waste generated by the clean-up or repairs.

"relevant incident", at a place, means a fire at the place or a spill or other accident involving scheduled PCB material at the place.

Division 5—Equipment containing PCB material

Chief executive must prepare guidelines for identifying prohibited equipment

63. As soon as practicable after the commencement of this section, the chief executive must—

(a) prepare guidelines for identifying equipment that contains concentrated PCB material or other scheduled PCB material; and

(b) publicise the guidelines to entities the chief executive considers appropriate including, for example, entities who may, in the course of a business, use or otherwise deal with equipment containing PCB material.

Use of equipment containing concentrated PCB material

64.(1) *A person must not use equipment containing concentrated PCB*

material if the person knows, or ought reasonably to know, that the equipment contains concentrated PCB material.

Maximum penalty—40 penalty units.

(2) *Subsection (1) does not apply if there is a current exemption for the equipment given under this section.*

(3) *On application, the administering authority may exempt equipment from the application of subsection (1) and may extend an exemption for 1 or more further periods.*

(4) *However, an exemption may not be given or extended so that it operates for a time ending more than 3 years after the commencement of this section.*

(5) *The administering authority may give or extend an exemption for equipment only if it is satisfied the equipment is not—*

(a) near a food processing facility, animal feedlot, school or hospital; or

(b) in a potable surface or underground water catchment area, aquatic spawning area or endangered wildlife habitat; or

(c) at another place requiring higher than usual protection against environmental harm from a spill or other accident involving concentrated PCB material.

(6) *An exemption may be given on reasonable conditions.*

(7) *An applicant for an exemption must give the administering authority the information it reasonably requires to decide the application.*

(8) *If the administering authority has not decided the application by the due day, it is taken to have refused the application.*

(9) *A decision on the application is a decision to which chapter 6, part 3[23] of the Act applies, and the applicant is the dissatisfied person for the decision.*

(10) *The administering authority must record on the register the details of each exemption given under this section.*

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23 Chapter 6 (Administration), part 3 (Review of decisions and appeals) of the Act

(11) *In this section—*

"due day"*, for deciding an application, means—*

(a) the sixtieth day after the application is made, not including a day the administering authority asks for information under subsection (7), a day the applicant gives the requested information, and any days in between; or

(b) any later day agreed on by the administering authority and the applicant.[24]

Use of equipment containing scheduled PCB material

65. *A person must not use equipment containing scheduled PCB material, other than concentrated PCB material if the person knows, or ought reasonably to know, that the equipment contains scheduled PCB material.*

Maximum penalty—40 penalty units.[24]

Dealing with equipment that is no longer used

66.(1) This section applies to the owner of equipment containing PCB material.

(2) Not later than 1 year after the equipment is permanently removed from operational use, the owner must deal with the equipment as follows—

(a) if the equipment contains concentrated PCB material, the owner must give the equipment to a licensed treatment facility for treatment so the equipment becomes PCB-free;

(b) if the equipment contains scheduled PCB material that is not concentrated PCB material, the owner must—

(i) treat the equipment so the equipment becomes PCB-free; or

(ii) give the equipment to a licensed treatment facility for treatment so the equipment becomes PCB-free;

24 This provision had not commenced on or before the reprint date.

(c) if the equipment contains non-scheduled PCB material, the owner must—

(i) treat the equipment so the equipment becomes PCB-free; or

(ii) give the equipment to a licensed treatment facility for treatment so the equipment becomes PCB-free; or

(iii) give the equipment to a licensed disposal facility.

Maximum penalty—40 penalty units.

(3) It is a defence to a charge of an offence against subsection (2) for the owner to show the owner has a reasonable excuse for not complying.

(4) If the owner does not comply with subsection (2) because the owner has a reasonable excuse, the owner must deal with the equipment in the way required by subsection (2) as soon as practicable.

Maximum penalty—40 penalty units.

PART 7—MISCELLANEOUS

Prohibition on use of non-complying waste equipment

67.(1) This section applies to a person who is—

(a) the holder of an environmental authority for carrying out an environmentally relevant activity for waste management under the *Environmental Protection Regulation 1998*, schedule 1, items 75 to 85; or

(b) a person who performs waste management works under section 118B[25] of the Act.

(2) In carrying out the activity or performing the works, the person must not use waste equipment for which design rules are specified in schedule 8

[25] Section 118B (Waste removal etc. by private contractors) of the Act

unless the equipment complies with the design rules.

Maximum penalty—40 penalty units.

Requirements for transporting waste

68. A person who transports waste in a vehicle must ensure the waste is loaded in a way that prevents its release from the vehicle into the environment.

Maximum penalty—20 penalty units.

PART 8—TRANSITIONAL PROVISIONS

Transitional—definition "trackable waste" for intrastate transportation

69.(1) *This section applies in relation to part 4, division 3, subdivision 1[26] (the* ***"intrastate transport provisions")****.*

(2) *Despite schedule 1[27], in the intrastate transport provisions—*

"trackable waste" *does not include waste of any the following types—*

- *clinical and related waste (R100)*
- *grease trap waste (K110)*
- *liquid food processing waste (K200)*
- *mineral oils (J100)*
- *oil and water mixtures or emulsions, or hydrocarbons and water mixtures or emulsions (J120)*
- *pharmaceuticals, drugs and medicines (R120)*

26 Part 4 (Waste tracking), division 3 (Obligations of waste handlers), subdivision 1 (Transportation within Queensland)

27 Schedule 1 (Trackable waste)

- *sewage sludge and residues, including nightsoil and septic tank sludge (K130)*
- *tyres (T140).*

(3) *This section applies only until 30 June 2002.*[28]

Transitional—clinical and related waste management plans

70.(1) This section applies to a person who, on the commencement of section 43,[29] is operating a facility mentioned in section 43.

(2) Section 43 does not apply to the person for 12 months after the commencement.

Transitional—waste equipment

71.(1) This section applies if—

(a) immediately before the commencement of this section, a person mentioned in section 67 held an approval under the *Environmental Protection (Interim) Waste Regulation 1996* for waste equipment used by the person in carrying out the activity or performing the works; and

(b) after the commencement, design rules are stated in schedule 8 for the equipment.

(2) The waste equipment is taken to be equipment that complies with the design rules.

Transitional—scheduled PCB waste in storage

72.(1) This section applies to a person who, on the commencement of section 58,[30] is storing scheduled PCB waste.

28 This provision had not commenced on or before the reprint date.

29 Section 43 (Clinical and related waste management plan required)

30 Section 58 (Scheduled PCB waste must be sent for treatment)

(2) Section 58 applies to the person as if the person generated the waste on the day section 58 commenced.

Transitional—dealing with equipment that is no longer used

73.(1) This section applies to a person who, on the commencement of section 66,[31] owns equipment that—

(a) contains PCB material; and

(b) has been permanently removed from operational use.

(2) Section 66 applies to the person as if the equipment was permanently removed from operational use on the day section 66 commenced.

[31] Section 66 (Dealing with equipment that is no longer used)

SCHEDULE 1

TRACKABLE WASTE

section 17 and dictionary, definition "waste code"

Explanatory notes to sch 1

1. A substance is **"trackable waste"** if it is regulated waste of a type mentioned in this schedule.

2. If a substance falls under more than 1 item in this list, and the code for one of the items is marked with an asterisk, the code for the substance is the code marked with an asterisk.

Type of waste	**Waste code**
acidic solutions and acids in solid form	B100
animal effluent and residues, including abattoir effluent and poultry and fish processing wastes	K100
antimony and antimony compounds	D170
arsenic and arsenic compounds	D130
asbestos	N220
barium compounds, other than barium sulphate	D290
basic (alkaline) solutions and bases (alkalis) in solid form	C100
beryllium and beryllium compounds	D160
boron compounds	D310
cadmium and cadmium compounds	D150

SCHEDULE 1 (continued)

chemical waste arising from a research and development or teaching activity, including new or unidentified material and material whose effects on human health or the environment are not known	T100
chlorates	D350
chromium compounds (hexavalent and trivalent)	D140
clinical and related waste	R100*
copper compounds	D190
cyanides (inorganic)	A130
cyanides (organic)	M210
encapsulated, chemically-fixed, solidified or polymerised wastes	N160*
ethers	G100
filter cake	N190
fire debris and fire washwaters	N140*
fly ash	N150
grease trap waste	K110
halogenated organic solvents	G150
highly odorous organic chemicals, including mercaptans and acrylates	M260
inorganic fluorine compounds, other than calcium fluoride	D110
inorganic sulfides	D330
isocyanate compounds	M220
liquid food processing waste	K200
lead and lead compounds	D220

SCHEDULE 1 (continued)

material containing polychlorinated biphenyls (PCBs), polychlorinated napthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs) M100

mercury and mercury compounds D120

metal carbonyls D100

mineral oils J100

nickel compounds D210

non-toxic salts D300

oil and water mixtures or emulsions, or hydrocarbons and water mixtures or emulsions J120

organic phosphorous compounds H110

organic solvents, other than halogenated solvents G110

organohalogen compounds, other than another substance stated in this schedule M160

perchlorates D340

pharmaceuticals, drugs and medicines R120*

phenols and phenol compounds, including chlorophenols M150

phosphorus compounds, other than mineral phosphates D360

polychlorinated dibenzo-furan (any congener) M170

polychlorinated dibenzo-p-dioxin (any congener) M180

residues from industrial waste treatment or disposal operations N205

selenium and selenium compounds D240

sewage sludge and residues, including nightsoil and septic tank sludge K130

SCHEDULE 1 (continued)

surface active agents (surfactants) containing principally organic constituents, whether or not also containing metals and other inorganic materials M250

tannery wastes, including leather dust, ash, sludges and flours K140

tarry residues arising from refining, distillation and any pyrolytic treatment J160

tellurium and tellurium compounds D250

thallium and thallium compounds D180

triethylamine catalysts for setting foundry sands M230

tyres T140

vanadium compounds D270

waste containing peroxides other than hydrogen peroxide E100

waste from a heat treatment or tempering operation that uses cyanides A110

waste from surface treatment of metals or plastics A100

waste from the manufacture, formulation or use of—

- biocides or phytopharmaceuticals H100
- inks, dyes, pigments, paints, lacquers or varnish F100
- organic solvents G160
- photographic chemicals or processing materials T120
- resins, latex, plasticisers, glues or other adhesives F110
- wood-preserving chemicals H170

waste from the manufacture or preparation of pharmaceutical products R140

waste of an explosive nature, other than an explosive within the meaning of the *Explosives Act 1999* E120

SCHEDULE 1 (continued)

wool scouring wastes K190

zinc compounds D230

SCHEDULE 2

PRESCRIBED INFORMATION FOR WASTE TRACKING

section 19

Generator

1.(1) This section states the prescribed information for sections 23 and 32 [32] of the regulation.

(2) The generator must give the following information to the transporter—

- the generator's—
  - name, address, local government area and contact details; or
  - generator identification number
- the name, address and contact details of the person to whom the waste is to be transported
- the day and time the generator gives the waste to the transporter for transporting
- the load number
- for a load of waste transported to a receiver outside Queensland—the consignment number for the load
- if the waste is dangerous goods—the type and number of containers in which the waste is contained
- the following details of the waste—
  - the type of waste

32 Sections 23 and 32 (Responsibilities of generator)

SCHEDULE 2 (continued)

- the amount, expressed as a stated number of kilograms or litres
- its physical nature (solid, liquid, paste or gas)
- its waste code
- if the waste is dangerous goods—
  - its UN number
  - its packing group designator
  - its dangerous goods class and any subsidiary risk
- the waste origin code for the activity that generated the waste.

(3) The generator must record, and must give to the administering authority, the following information—

- the information mentioned in subsection (2)
- the transporter's name, address and contact details
- the transporter's environmental authority number
- if the vehicle used to transport the waste is a motor vehicle—its registration number.

Transporter

2.(1) This section states the prescribed information for sections 24 and 28[33] of the regulation.

(2) The transporter must give the following information to the receiver—

- the information mentioned in section 1(2) received from the generator
- for a load of waste transported from a generator outside Queensland—the consignment number for the load
- the transporter's name, address and contact details

33 Sections 24 and 28 (Responsibilities of transporter)

SCHEDULE 2 (continued)

- the transporter's environmental authority number
- if the vehicle used to transport the waste is a motor vehicle—its registration number
- any jurisdiction, other than Queensland, in which the waste has been transported
- the day and time the transporter gives the waste to the receiver.

(3) The transporter must record the following information—

- the information mentioned in subsection (2)
- the receiver's name, address and contact details
- the receiver's environmental authority number.

Receiver

3.(1) This section states the prescribed information for sections 25 and 29[34] of the regulation.

(2) The receiver must record the following information—

- the information mentioned in section 2(2) received from the transporter
- the amount of waste received, expressed as a stated number of kilograms or litres
- whether the waste is received for recycling, conversion to energy, another type of treatment, storage or disposal
- the disposal or treatment code for the operation for which the waste is being received.

(3) The receiver must give the following information to the administering authority—

- the information mentioned in subsection (2)

[34] Sections 25 and 29 (Responsibilities of receiver)

SCHEDULE 2 (continued)

- the receiver's name, address and contact details
- the receiver's environmental authority number.

SCHEDULE 3

NATIONAL ENVIRONMENT PROTECTION (MOVEMENT OF CONTROLLED WASTE BETWEEN STATES AND TERRITORIES) MEASURE, SCHEDULE A, LIST 2

section 39(8), definition "environmentally significant characteristic"

SCHEDULE A—LIST 2: CHARACTERISTICS OF CONTROLLED WASTES

Dangerous Goods Class (UN Class*)	UN Code	
1	**H1**	**Explosive** 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.
3	**H3**	**Flammable Liquids** 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 60.5 degrees Celsius, closed-cup test, or not more than

SCHEDULE 3 (continued)

65.6 degrees Celsius, open-cup test. (Since the results of open-cup tests 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 figures to make allowances for such differences would be within the spirit of the definition.)

4.1 H4.1 Flammable solids

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.

4.2 H4.2 Substances or wastes liable to spontaneous combustion

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 fire.

4.3 H4.3 Substances or wastes which, in contact with water, emit flammable gases

Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.

5.1 H5.1 Oxidising

Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen, cause or contribute to, the combustion of other materials.

5.2 H5.2 Organic peroxides

Organic substances or wastes which contain the bivalent-O-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.

SCHEDULE 3 (continued)

6.1 H6.1 Poisonous (acute)

Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.

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 the 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, eg., leachate, which possesses any of the characteristics listed above.

SCHEDULE 3 (continued)

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 freshwater 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.

SCHEDULE 4

DESIGN REQUIREMENTS FOR WASTE CONTAINERS

section 47

Waste	Container	Symbol colour	Symbol	Identification
clinical	yellow	black		clinical waste
cytotoxic	purple	white		cytotoxic waste-incinerate at 1100°C
general	—	—	—	general waste
radio-active	red	black		radioactive waste

SCHEDULE 5

TREATMENT AND DISPOSAL OF CLINICAL AND RELATED WASTE

section 52

Waste type	Treatment and disposal process						
	Incin-eration	**Auto-claving and shred-ding**	**Chemi-cal disin-fect-ion using Hypo-chlorite and shred-ding**	**Chemical disinfection using Peroxide, Lime and shredding**	**Micro-wave and shred-ding**	**Compac-tion**	**Landfill**
chemi-cal	yes (if licensed)	no	no	no	no	no	no
cyto-toxic	yes	no	no	no	no	no	no
human body parts	yes	no	no	yes	no	no	no
pharma-ceutical	yes	no	no	no	no	no	no
radio-active	no	no	no	no	no	no	no

SCHEDULE 5 (continued)

treated clinical	—	—	—	—	—	yes	yes
untreated clinical	yes	yes	yes	yes	yes	yes (other than animal carcasses and sharps)	no (other than in a scheduled area)

SCHEDULE 6

DISPOSAL AND TREATMENT CODES FOR WASTE TRACKING

schedule 9, definitions "disposal code" and "treatment code"

PART 1—DISPOSAL CODES

The following ways of dealing with waste do not allow the possibility of resource recovery, recycling, reclamation, direct re-use or an alternative use of the waste.

	Disposal code
disposal to a landfill	D1
land farming	D2
surface impoundment	D4
biological treatment in a way not otherwise mentioned in this part	D8
immobilisation or solidification	D9A
physico/chemical treatment other than immobilisation or solidification	D9B
incineration	D10
permanent storage	D12
blending or mixing before disposal in another way mentioned in this part	D13
repackaging before disposal in another way mentioned in this part	D14
storage before disposal in another way mentioned in this part	D15

SCHEDULE 6 (continued)

PART 2—TREATMENT CODES

The following ways of dealing with waste may allow the possibility of resource recovery, recycling, reclamation, direct re-use or an alternative use of the waste.

	Treatment code
using waste as a fuel, other than by direct incineration	R1
recycling or reclaiming a substance, other than a substance mentioned in items R6 to R8, if it is—	
• an organic substance used as a solvent	R2
• an organic substance not used as a solvent	R3
• a metal or metal compound other than a drum	R4
• an inorganic substance other than a metal or metal compound	R5
recycling or reclaiming—	
• an acid or base	R6
• a component used for pollution abatement	R7
• a component from a catalyst	R8
refining used oil or otherwise using previously used oil	R9
using a residual trackable waste obtained from treatment in another way mentioned in this part	R11
storage before treatment in another way mentioned in this part	R13
recycling, reconditioning or laundering of drums	R14

SCHEDULE 7

WASTE ORIGIN CODES FOR WASTE TRACKING

schedule 9, definition "waste origin code"

Note: This schedule is derived from the Australian and New Zealand Standard Industrial Classification 1993, Australian Catalogue No. 1292.0, published by the Australian Bureau of Statistics.

A—Agriculture, forestry and fishing

Agriculture

011	horticulture and fruit growing
012	grain, sheep and beef cattle farming
013	dairy cattle farming
014	poultry farming
015	other livestock farming
016	other crop growing

Services to agriculture, hunting and trapping

021	services to agriculture
022	hunting and trapping

Forestry and logging

030	forestry and logging

SCHEDULE 7 (continued)

Commercial fishing

041 marine fishing

042 aquaculture

B—Mining

Coal mining

110 coal mining

Oil and gas extraction

120 oil and gas extraction

Metal ore mining

131 metal ore mining

Other mining

141 construction material mining

142 other mining

Services to mining

151 exploration

152 other mining services

SCHEDULE 7 (continued)

C—Manufacturing

Food, beverage and tobacco manufacturing

211 meat and meat product manufacturing

212 dairy product manufacturing

213 fruit and vegetable processing

214 oil and fat manufacturing

215 flour mill and cereal food manufacturing

216 bakery product manufacturing

217 other food manufacturing

218 beverage and malt manufacturing

219 tobacco product manufacturing

Textile, clothing, footwear and leather manufacturing

221 textile fibre, yam and woven fabric manufacturing

222 textile product manufacturing

223 knitting mills

224 clothing manufacturing

225 footwear manufacturing

226 leather and leather product manufacturing

Wood and paper product manufacturing

231 log sawmilling and timber dressing

232 other wood product manufacturing

233 paper and paper product manufacturing

SCHEDULE 7 (continued)

Printing, publishing and recorded media

241	printing and services to printing
242	publishing
243	recorded media manufacturing and publishing

Petroleum, coal, chemical and associated product manufacturing

251	petroleum refining
252	petroleum and coal product manufacturing not otherwise mentioned in this schedule
253	basic chemical manufacturing
254	other chemical product manufacturing
255	rubber product manufacturing
256	plastic product manufacturing

Non-metallic mineral product manufacturing

261	glass and glass product manufacturing
262	ceramic product manufacturing
263	cement, lime, plaster and concrete product manufacturing
264	non-metallic mineral product manufacturing not otherwise mentioned in this schedule

Metal product manufacturing

271	iron and steel manufacturing
272	basic non-ferrous metal manufacturing
273	non-ferrous basic metal product manufacturing
274	structural metal product manufacturing

SCHEDULE 7 (continued)

275 sheet metal product manufacturing

276 fabricated metal product manufacturing

Machinery and equipment manufacturing

281 motor vehicle and part manufacturing

282 other transport equipment manufacturing

283 photographic and scientific equipment manufacturing

284 electronic equipment manufacturing

285 electrical equipment and appliance manufacturing

286 industrial machinery and equipment manufacturing

Other manufacturing

291 prefabricated building manufacturing

292 furniture manufacturing

294 other manufacturing

D—Electricity, gas and water supply

Electricity and gas supply

361 electricity supply

362 gas supply

Water supply, sewerage and drainage services

370 water supply, sewerage and drainage services

SCHEDULE 7 (continued)

E—Construction

General construction

411 building construction

412 non-building construction

Construction trade services

421 site preparation services

422 building structure services

423 installation trade services

424 building completion services

425 other construction services

F—Wholesale trade

Basic material wholesaling

451 farm produce wholesaling

452 mineral, metal and chemical wholesaling

453 builders' supplies wholesaling

Machinery and motor vehicle wholesaling

461 machinery and equipment wholesaling

462 motor vehicle wholesaling

Personal and household good wholesaling

471 food, drink and tobacco wholesaling

SCHEDULE 7 (continued)

472 textile, clothing and footwear wholesaling

473 household good wholesaling

479 other wholesaling

G—Retail trade

Food retailing

511 supermarket and grocery stores

512 specialised food retailing

Personal and household good retailing

521 department stores

522 clothing and soft good retailing

523 furniture, houseware and appliance retailing

524 recreational good retailing

525 other personal and household good retailing

526 household equipment repair services

Motor vehicle retailing and services

531 motor vehicle retailing

532 motor vehicle services

H—Accommodation, cafes and restaurants

Accommodation, cafes and restaurants

571 accommodation

SCHEDULE 7 (continued)

572 pubs, taverns and bars

573 cafes and restaurants

574 clubs (hospitality)

I—Transport and storage

Road transport

611 road freight transport

612 road passenger transport

Rail transport

620 rail transport

Water transport

630 water transport

Air and space transport

640 air and space transport

Other transport

650 other transport

Services to transport

661 services to road transport

662 services to water transport

SCHEDULE 7 (continued)

663 services to air transport

664 other services to transport

Storage

670 storage

J—Communication services

Communication services

711 postal and courier services

712 telecommunication services

K—Finance and insurance

Finance

731 central bank

732 deposit taking financiers

733 other financiers

734 financial asset investors

Insurance

741 life insurance and superannuation funds

742 other insurance

SCHEDULE 7 (continued)

Services to finance and insurance

751 services to finance and investment

752 services to insurance

L—Property and business services

Property services

771 property operators and developers

772 real estate agents

773 non-financial asset investors

774 machinery and equipment hiring and leasing

Business services

781 scientific research

782 technical services

783 computer services

784 legal and accounting services

785 marketing and business management services

786 other business services

M—Government administration and defence

Government administration

811 government administration

812 justice

813 foreign government representation

SCHEDULE 7 (continued)

Defence

820 defence

N—Education

Education

841 preschool education

842 school education

843 post school education

844 other education

O—Health and community services

Health services

861 hospitals and nursing homes

862 medical and dental services

863 other health services

864 veterinary services

Community services

871 child care services

872 community care services

SCHEDULE 7 (continued)

P—Cultural and recreational services

Motion picture, radio and television services

911 film and video services

912 radio and television services

Libraries, museums and the arts

921 libraries

922 museums

923 parks and gardens

924 arts

925 services to the arts

Sport and recreation

931 sport

932 gambling services

933 other recreation services

Q—Personal and other services

Personal services

951 personal and household goods hiring

952 other personal services

SCHEDULE 7 (continued)

Other services

961	religious organisations
962	interest groups
963	public order and safety services

Private households employing staff

970	private households employing staff

SCHEDULE 8

DESIGN RULES

section 67

PART 1—WASTE CONTAINERS AND WASTE TRANSPORT VEHICLES

Division 1—Preliminary

1. This part applies to rigid-walled waste containers and waste transport vehicles.

Division 2—General rules applicable to rigid-walled waste containers and waste transport vehicles

2. This division sets out general rules applicable to a waste container or a vehicle used for transporting waste.

3. It must be designed in a way that ensures—

(a) it performs the intended function when used in accordance with the manufacturer's instructions; and

(b) waste does not spill from it during usual usage or servicing; and

(c) it is not adversely affected by environmental conditions, including, for example, heat, humidity or sunlight; and

(d) it is not adversely affected by the cleaning procedures specified by the manufacturer.

4. The inner surfaces must be smooth, free of recesses and be able to be readily cleaned.

SCHEDULE 8 (continued)

5. The inner surfaces must be designed to allow easy removal of waste.

6. If it has internal seams, the seams must be fully welded.

7. The following matters must be taken into account in designing it—

(a) the type of waste to be collected, removed or conveyed;

(b) the likelihood of abrasion by solid waste;

(c) the likelihood of chemical attack;

(d) the need to exclude rain or other liquid that may be likely to leach a contaminant from the waste.

8. It must be constructed of a material that will not undergo a change that impairs its life or performance when it comes into contact with waste.

9. If it is constructed from plastic, the plastic must be UV resistant for the container's life.

10. If it is a waste container or waste transport compartment within a waste transport vehicle, it must be constructed—

(a) of a durable material that is capable of withstanding normal operating conditions; and

(b) in a way that ensures it minimises the entry of insects and vermin.

11. If it is a container designed for use to transport waste, it must be designed in a way that provides a permanent way of securing the lid so that waste is not released during transportation.

Division 3—Specific design principles for plastic bags used for clinical and related waste

12. This division applies to plastic bags used for clinical and related waste.

13. It must have sufficient strength to safely contain the waste it is designed to hold.

SCHEDULE 8 (continued)

14. It must be designed to allow for secure final closure when the bag is filled to a maximum of two-thirds of its capacity or 6 kg, whichever is the lesser.

15. It must not be designed with closure devices that have sharp protuberances, including, for example, staples.

Division 4—Specific design principles for skip bins

16. This division applies to a skip bin.

17. It must be designed to receive only inert, non-putrescible waste.

18. It must be designed in a way that ensures it minimises the entry of vermin and other animals.

19. It must be designed so as to be capable of being covered during the transportation of waste.

20. It must be designed to prevent the release of rainwater that has been in contact with waste materials in the bin.

21. It must be designed so as to be able to be secured to the vehicle used for transporting the bin.

Division 5—Specific design principles for waste transport vehicles

22. This division applies to a vehicle used for transporting waste.

23. If the vehicle is to be used for transporting waste in containers, the vehicle design must include a permanent method of securing the containers in an upright position.

24. If the vehicle incorporates a tanker body, the vehicle must be designed in a way that ensures—

(a) each discharge point on the body is protected from possible damage; and

SCHEDULE 8 (continued)

(b) each discharge point is capable of being locked in the off position; and

(c) it is fitted with signs detailing the direction and movement needed to shut the discharge and loading valves; and

(d) effective covers are provided for all manholes; and

(e) the manhole covers are capable of being secured at all times when the manholes are not being used; and

(f) a storage area is provided for the vehicle's hoses.

PART 2—CHEMICAL, COMPOSTING AND INCINERATING TOILETS

Division 1—General rules applicable to chemical, composting and incinerating toilets

25.(1) This part applies to chemical, composting and incinerating toilets.

(2) This part sets out general design rules applicable to chemical, composting and incinerating toilets.

26. It must be designed in a way that ensures it—

(a) performs the intended function when installed and operated according to the manufacturer's instructions; and

(b) does not allow untreated waste to come into contact with any person, or spill from it, when it is being operated, maintained, removed or cleaned; and

(c) is not adversely affected by the environment in any reasonably foreseeable installation site, including, for example, by heat, humidity, gases or sunlight.

SCHEDULE 8 (continued)

27. The inner surfaces must be smooth, free of recesses, able to be readily cleansed and allow for easy removal of nightsoil.

28. It must be fabricated to—

(a) preclude infiltration of rain or groundwater; and

(b) prevent escape of liquids other than through standard designed openings.

29. It must be constructed of durable material and capable of withstanding normal operating conditions.

Division 2—Specific rules applicable to chemical toilets

30. This division applies to a chemical toilet.

31. The cabinet must be constructed to allow all waste liquids or spills to be contained and trapped to prevent the liquids or spill being released outside the cabinet.

32. The cabinet floor must be—

(a) made of an impervious, rigid, washable and corrosion resistant material; and

(b) unbroken and slip resistant; and

(c) raised above ground level.

33. The cabinet must comply with the minimum floor dimensions and minimum useable floor area set out in the Building Code of Australia.

34. The cabinet roof must be constructed from a material that is smooth, impervious, impact and corrosion resistant, translucent and washable.

35. The cabinet door must be—

(a) constructed from a material that is impervious, opaque, impact and corrosion resistant and washable; and

(b) fitted to ensure privacy; and

SCHEDULE 8 (continued)

(c) able to be latched closed from the inside and outside.

36. The cabinet must have adequate cross ventilation.

37. If it is a freestanding unit the cabinet must be fitted with suitable lifting loops or points to facilitate loading and off loading from a delivery vehicle.

38. The cabinet must be designed in a way that ensures it will remain structurally sound when lifted, hoisted or transported, including when the toilet is full.

39. The toilet bowl must be fitted with a water seal bowl incorporating a counterbalanced flap arrangement that, when closed, is capable of holding a minimal water seal.

40. It must not include straight-drop or recirculation of contaminated material.

41. It must have a toilet seat.

42. The cabinet must be designed to allow as much natural lighting as is possible in it.

43. The waste holding tank must be—

(a) moulded in 1 piece from impervious and impact and corrosion resistant material; and

(b) finished in a way that provides a smooth surface internally and externally; and

(c) designed in a way that allows nightsoil and associated liquids to be easily removed; and

(d) designed in a way that allows it to be readily cleansed.

44. The holding tank must have a minimum capacity of 230 L.

45. It must have a suitable draw off point through which the waste holding tank is emptied.

46. If the draw off point is on the outside of the toilet, it must be fitted with a device to enable emptying of the tank without spillage.

SCHEDULE 8 (continued)

47. The draw off point must be secured so that it can not be tampered with or opened by a person, other than a person authorised by the local government for the area in which the toilet is to be located.

48. If it includes a urinal, the urinal must be—

(a) suitably trapped into the waste holding tank; and

(b) capable of being flushed with clean water.

49. If it has a flushing mechanism, it must be—

(a) effective; and

(b) watertight; and

(c) of durable quality; and

(d) capable of providing a minimum of 200 ml for each flush.

50. If it includes a freshwater tank, the volume of the tank must be not less than 20% of the volume of the toilet's waste holding tank.

51. If the water tank is connected directly to a water supply, the toilet must be constructed with reticulation that provides a 40 mm air break between the top water level and the water inlet.

Division 3—Composting toilets

52. This division applies to a composting toilet.

53. It must be designed to receive only nightsoil, newspaper, sawdust or other bulking agent, grass clippings and fruit and vegetable waste in accordance with the manufacturer's instructions.

54. It must be designed in a way that it is capable of producing a compost that—

(a) is innocuous; and

(b) does not have a faecal and urine odour; and

(c) is friable and has a soil or compost consistency; and

SCHEDULE 8 (continued)

(d) has not less than 25% but not more than 75% moisture content; and

(e) has less than 200 e coli per gram; and

(f) does not contain salmonella spp.; and

(g) has a carbon to nitrogen ratio of not less than 14 to 1.

55. It must be designed to provide continuous passive or forced ventilation of its storage or treatment chamber.

56. It must be designed for permanent installation.

57. If it is installed inside a dwelling, a fan must be installed to ensure the air pressure inside the toilet's composting chamber is less than the air pressure outside the toilet and within the closet.

58. If a fan is installed in a composting toilet, it must be—

(a) capable of continuous operation; and

(b) provided with a back-up power device that provides at least 12 hours use if the original power source fails.

59. A ceiling exhaust fan must not be installed in a composting toilet closet.

60. If a fan or heating element is installed in a composting toilet, the toilet must be designed in a way that allows the fan or element to be replaced without a person coming into direct contact with composting nightsoil or compost.

61. The access door for the removal of compost from the composting chamber—

(a) must be capable of being kept closed and locked; and

(b) must be designed in a way that ensures it is not practical to remove compost through the toilet's opening.

62. The composting chamber must be designed so that if it requires raking—

SCHEDULE 8 (continued)

(a) the raking can be performed without the need to enter the composting chamber; and

(b) it is not possible to rake through the opening.

63. If it is to be installed at a place where the temperature of the toilet could fall to less than 10^0C, the toilet must be designed to include a way of keeping the compost temperature above 10^0C.

64. If it includes separate chambers for compost production on a rotational basis, each chamber must be capable of being marked with the last date nightsoil was deposited in it.

65. It must be designed in a way that allows for easy removal of compost.

66. It must be designed in a way that ensures when removing compost it is not possible to contaminate compost with freshly deposited nightsoil.

Division 4—Incinerating toilets

67. This division applies to an incinerating toilet.

68. It must be fitted with an automatic safety valve to stop incineration.

69. If it uses gas, it must be fitted with—

(a) a way of testing the gas pressure; and

(b) a cut-off switch that cuts off the gas supply when the pressure is more than the capacity for which the toilet has been designed; and

(c) a flame safeguard system; and

(d) a pilot turn-off provision; and

(e) a manual shut-off valve that is upstream from the other controls on the pilot and main burner lines.

70. If it uses gas, the burner ports, injectors and bleed line terminations must be protected against heat damage.

71. It must be fitted with a built-in draught diverter.

SCHEDULE 8 (continued)

72. Its burner and ignition systems must be interlocked with the lid in a way that ensures the interlock system can not be bypassed.

73. The component parts, including, for example, its igniters, burner jet and sensing devices must be fitted in a way that ensures they are stable.

74. The insulation material—

(a) must be fixed in a way that ensures it can not slip or become dislodged from the toilet; and

(b) must not contain asbestos; and

(c) must be odour and fume free; and

(d) must not be reactive to the application for which it is being used.

75. The flue pipe must be designed in a way that ensures it does not block the flueways.

76. It must be designed in a way that ensures all parts requiring maintenance or adjustment are accessible after the toilet is installed.

77. It must be designed in a way that ensures its controls and working parts are easily used.

78. It must be designed in a way that ensures its control settings can not be accidentally disturbed.

79. It must be designed in a way that ensures after it is installed it is obvious when the burner is alight.

80. It must be designed with handles or knobs or parts that are removable, including, for example, the ash removal tray, to ensure a person removing the part has minimal contact with hot surfaces.

81. It must be designed to include an ash removal tray that is easy to remove and clean.

82. It must be designed in a way that ensures there are no sharp points or edges on parts with which the toilet is likely to come into contact during use or maintenance or removal or replacement of parts.

83. It must be designed in a way that ensures the incineration cycle does not alter the function of any components of the toilet.

SCHEDULE 8 (continued)

84. It must be designed in a way that ensures the incineration cycle does not cause permanent deterioration of the toilet's surface finishes or surroundings.

85. It must be designed in a way that ensures it does not leak or spill.

86. It must be designed in a way that ensures during the incineration cycle or normal operation—

(a) the flue effluents free from particulate matter; and

(b) the flue effluents free from faecal and urine odours; and

(c) no odours are released into the cabinet.

87. It must be designed to ensure that waste deposited onto the burning grid is reduced to ash in one firing cycle.

88. It must be capable of maintaining a CO/CO_2 ratio of less than 0.02.

89. It must be designed in a way that ensures if the burning cycle is interrupted, the toilet is capable of beginning a further completing burning cycle when the lid is closed.

90. It must be designed in a way that ensures sufficient inlet air is available to achieve efficient and effective combustion.

SCHEDULE 9

DICTIONARY

section 3

"ADG code" means the sixth edition of the Australian Code for the Transport of Dangerous Goods by Road and Rail, prepared by the National Road Transport Commission.[35]

"animal waste" means any discarded materials, including carcasses, body parts, blood or bedding, originating from animals contaminated with an agent infectious to humans or from animals inoculated during research, production of biologicals or pharmaceutical testing with infectious agents.

"blood bank" means premises or a vehicle for receiving blood donations.

"chemical toilet" means a toilet that collects nightsoil in a holding tank where it is treated with a chemical disinfectant.

"chemical waste" means waste generated from the use of chemicals in medical, dental, veterinary and laboratory procedures, including, for example, mercury, formalin and gluteraldehyde.

"clinical waste" means waste that has the potential to cause disease, including, for example, the following—

(a) animal waste;

(b) discarded sharps;

(c) human tissue waste;

(d) laboratory waste.

"commercially" means carried out for fee or reward.

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35 A copy of the code may be purchased from the Australian Government Information Service, City Plaza, Adelaide and George Streets, Brisbane.

SCHEDULE 9 (continued)

"composting toilet" means a toilet that uses a process of biological degradation to convert nightsoil into a humus-like substance through the aerobic action of micro-organisms and invertebrates and includes all pipes, apparatus, vents, trays and chutes used in connection with the toilet.

"consignment number" means—

(a) for a load of waste transported from a generator outside Queensland—the number assigned to the load under section 38;[36] or

(b) for a load of waste transported to a receiver outside Queensland—any number assigned as a consignment number for the load under an equivalent law of the jurisdiction.

"cytotoxic drug" means a drug known to have carcinogenic, mutagenic or teratogenic potential.

"cytotoxic waste" means waste that is contaminated by a cytotoxic drug.

"dangerous goods" means a substance listed in the ADG code as dangerous goods.

"dangerous goods class", for trackable waste, means the dangerous goods class applying to the waste under the ADG code.

"disposal code", for a way of disposing of waste, means the relevant code stated in schedule 6.

"endangered wildlife" has the meaning given by the *Nature Conservation Act 1992*, section 7.

"free-flowing", for blood, blood products or human body fluids, means blood, blood products or body fluids that is flowing, dripping, oozing, liquid or able to be squeezed from material.

"general waste" means waste other than regulated waste.

"generator", of trackable waste, see section 18.[37]

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36 Section 38 (Consignment numbers for waste transported into Queensland)

37 Section 18 (Waste handlers)

SCHEDULE 9 (continued)

"generator identification number", of a person, means the number assigned to the person under section 42.

"hospital" has the meaning given by the *Health Services Act 1991*, section 2 and includes a dental hospital or hospice.

"human body parts" means recognisable organs, bones and gross body parts but does not include teeth, gums, hair, nails or bone fragments.

"human tissue waste" means the following—

(a) tissue, blood, blood products and other body fluids that are removed from a person during surgery, an autopsy or another medical procedure;

(b) tissue, blood, blood products and other body fluids that are removed from a person during post-operative care or treatment;

(c) specimens of tissue, blood, blood products and other body fluids and containers in which the specimens are kept;

(d) discarded material saturated with, or containing free-flowing blood and other body fluids.

"incinerating toilet" means a toilet that uses gas or electricity to treat nightsoil.

"infectious agent" means an organism, including a micro-organism or worm, that causes disease or another adverse health impact in humans.

"laboratory", for part 5, means a building, or part of a building, used or intended to be used for scientific work that may generate clinical waste.

"laboratory waste" means a specimen or culture discarded in the course of dental, medical or veterinary practice or research, including material that is, or has been contaminated by, genetically manipulated material or imported biological material.

"litter bin" means a receptacle provided for the disposal of litter.

"load number", for the transportation of a load of trackable waste, means—

(a) if the generator gives the administering authority information

SCHEDULE 9 (continued)

about the transportation in the prescribed form—the load number marked on the form by the administering authority; or

(b) if the generator gives the administering authority information about the transportation in another way the administering executive has approved under section 37—the load number assigned under the approved way.

"log_{10}kill=4" means a 4 decade reduction or a 0.0001 survival probability in a microbial population.

"log_{10}kill=6" means a 6 decade reduction or a 0.0000001 survival probability in a microbial population.

"multi-service medical clinic" means a medical centre that provides specialist procedures including radiology, pathology or surgical procedures.

"nightsoil" includes—

(a) human faecal material; and

(b) human urine; and

(c) material mixed with human faecal material or urine, including, for example, toilet paper.

"non-infectious", for waste, means the waste—

(a) has a log_{10} kill = 4 for bacterial spores; and

(b) has a log_{10}kill = 6 for vegetative bacteria.

"packing group designator", for trackable waste, means the packing group designator applying to the waste under the ADG code.

"pharmaceutical product" means a restricted drug under the *Health (Drugs and Poisons) Regulation 1996*.

"pharmaceutical waste" means waste arising from—

(a) pharmaceutical products that have passed their recommended shelf life; and

(b) pharmaceutical products discarded due to off-specification batches

SCHEDULE 9 (continued)

or contaminated packaging; and

(c) pharmaceutical products returned by patients or discarded by the public; and

(d) pharmaceutical products no longer required by the public; and

(e) waste generated during the manufacture of pharmaceutical products.

"premises" includes domestic, government and commercial premises.

"prescribed form", for part 4, see section 36.[38]

"prescribed information", for part 4, see section 19.[39]

"prescribed time", for giving information under part 4, see section 21.[40]

"prescribed way", for giving information under part 4, see section 20.[41]

"radioactive substance" see *Radiation Safety Act 1999*, schedule 2.

"radioactive waste" means waste that is contaminated with a radioactive substance.

"receiver", of trackable waste, see section 18.[42]

"registered laboratory" means a laboratory accredited by the National Association of Testing Authorities.

"registration number", of a motor vehicle, means its registration number under the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999*.

"regulated waste" means regulated waste within the meaning of the *Environmental Protection Regulation 1998*.

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38 Part 4 (Waste tracking), section 36 (Giving information to administering authority in prescribed form)

39 Part 4 (Waste tracking), section 19 (Prescribed information)

40 Section 21 (Prescribed time for giving information)

41 Part 4 (Waste tracking), section 20 (Prescribed way for giving information)

42 Section 18 (Waste handlers)

SCHEDULE 9 (continued)

"related waste" means waste that constitutes, or is contaminated with, chemicals, cytotoxic drugs, human body parts, pharmaceutical products or radioactive substances.

"scheduled area" means a local government area mentioned in the *Environmental Protection Regulation 1998*, schedule 8B.

"sharp" means an object or device having sharp points, protuberances or cutting edges that are capable of causing a penetrating injury to humans.

"subsidiary risk", for trackable waste, means the subsidiary risk applying to the waste under the ADG code.

"tissue" does not include human body parts, teeth, hair, nail, gums and bone.

"trackable waste" see section 17.[43]

"transporter", of trackable waste, see section 18.[44]

"treatment code", for a way of treating waste, means the relevant code stated in schedule 6.

"UN number", for trackable waste, means the United Nations number applying to the waste under the ADG code.

"veterinary hospital" has the meaning given by the *Veterinary Surgeons Act 1936*.

"waste code", for trackable waste, means the relevant code stated in schedule 1.

"waste handler" means a generator, transporter or receiver of trackable waste.

"waste management hierarchy" has the meaning given by the *Environmental Protection (Waste Management) Policy 2000*.

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43 Section 17 (Waste transportation to which this part applies)

44 Section 18 (Waste handlers)

SCHEDULE 9 (continued)

"waste management principles" has the meaning given by the *Environmental Protection (Waste Management) Policy 2000*.

"waste origin code", for an activity, means the code for the activity stated in schedule 7.

ENDNOTES

1 Index to endnotes

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Environmental Protection (Waste Management) Regulation 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	**Acts Interpretation Act 1954**	**(prev)**	=	**previously**
amd	=	**amended**	**proc**	=	**proclamation**
amdt	=	**amendment**	**prov**	=	**provision**
ch	=	**chapter**	**pt**	=	**part**
def	=	**definition**	**pubd**	=	**published**
div	=	**division**	**R[X]**	=	**Reprint No.[X]**
exp	=	**expires/expired**	**RA**	=	**Reprints Act 1992**
gaz	=	**gazette**	**reloc**	=	**relocated**
hdg	=	**heading**	**renum**	=	**renumbered**
ins	=	**inserted**	**rep**	=	**repealed**
lap	=	**lapsed**	**s**	=	**section**
notfd	=	**notified**	**sch**	=	**schedule**
o in c	=	**order in council**	**sdiv**	=	**subdivision**
om	=	**omitted**	**SIA**	=	**Statutory Instruments Act 1992**
orig	=	**original**	**SIR**	=	**Statutory Instruments Regulation 1992**
p	=	**page**			
para	=	**paragraph**	**SL**	=	**subordinate legislation**
prec	=	**preceding**	**sub**	=	**substituted**
pres	=	**present**	**unnum**	=	**unnumbered**
prev	=	**previous**			

4 List of legislation

Environmental Protection (Waste Management) Regulation 2000 SL No. 178
made by the Governor in Council on 29 June 2000
notfd gaz 30 June 2000 pp 736–48
ss 1–2 commenced on date of notification
pt 4 div 3 sdiv 1 commences 1 July 2001 (see s 2(1))
s 64 commences 1 January 2002 (see s 2(2))
s 65 commences 1 January 2008 (see s 2(3))
s 69 commences 1 July 2001 (see s 2(4))
remaining provisions commenced 1 July 2000 (see s 2(5))
exp 1 September 2010 (see SIA s 54)

5 List of annotations

PART 9—AMENDMENT OF ENVIRONMENTAL PROTECTION REGULATION 1998
pt 9 (ss 74–81) om R1 (see RA s 40)

PART 10—AMENDMENT OF ENVIRONMENTAL PROTECTION (INTERIM WASTE) REGULATION 1996
pt 10 (ss 82–90) om R1 (see RA s 40)

PART 11—AMENDMENT OF JUSTICES REGULATION 1993
pt 11 (ss 91–92) om R1 (see RA s 40)

PART 12—AMENDMENT OF STANDARD SEWERAGE LAW
pt 12 (ss 93–95) om R1 (see RA s 40)