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Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2001 (No. 1)¹

Statutory Rules 2001 No. 2

203

I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.

Dated 26 JUL 2001 2001

PETER HOLLINGWORTH

Governor-General

By His Excellency's Command

ROBERT HILL
Minister for the Environment and Heritage

1 Name of Regulations

These Regulations are the *Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2001 (No. 1)*.

2 Commencement

These Regulations commence on gazettal.

3 Amendment of Hazardous Waste (Regulation of Exports and Imports) Regulations

Schedule 1 amends the Hazardous Waste (Regulation of Exports and Imports) Regulations.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 1

substitute

1 Name of Regulations

These Regulations are the *Hazardous Waste (Regulation of Exports and Imports) Regulations 1996*.

[2] Regulation 3, heading

substitute

3 Definitions

[3] Regulation 3, definition of *List B*

omit

2 *Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2001 (No. 1)* 2001, 1 203
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[4] Regulation 4*substitute***4 Waste that is not household waste**

- (1) For the definition of *household waste* in section 4 of the Act, waste mentioned in items B1010, B2020, B3010, B3020 and B3030 of Annex IX (List B) to the Basel Convention is not household waste.
- (2) For subregulation (1), item B3010 is taken to be modified by omitting “a specification:” and inserting “a standard (other than bale properties) not less strict than the standard applicable to the resin type, product type and category of the material, set out in *Scrap Specifications Circular 1998, Guidelines for Plastic Scrap: P-98*, published by the Institute of Scrap Recycling Industries, Inc in 1998:”.

Note 1 The parts of the standard set out in *Scrap Specifications Circular 1998* that apply to materials in item B3010 deal with the following matters about scrap plastic:

- contamination
- hazardous materials
- moisture
- storage.

Note 2 Items B1010, B2020, B3010, B3020 and B3030 of Annex IX (List B) to the Basel Convention, as taken to be modified by subregulation (2), are set out in Schedule 1.

[5] After regulation 5*insert***5A Particulars of export of hazardous waste — diethylaluminium chloride/heptane mixture**

For paragraph 18A (2) (a) of the Act, the following particulars are specified:

- (a) the hazardous waste to be exported is a mixture of diethylaluminium chloride and heptane;

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- (b) the mixture is stored by Orica Australia Pty Ltd at 16–20 Beauchamp Road, Matraville, New South Wales;
 - (c) 2 858 kilograms of the mixture is to be exported in the 12 months starting on the commencement of this regulation;
 - (d) the mixture will be packed into pressurised containers and transported by road from the address mentioned in paragraph (b) to the Port of Sydney;
 - (e) at the Port of Sydney the containers of the mixture will be loaded onto a ship for transport to the Port of Seattle, Washington State, the United States of America;
 - (f) after unloading at the Port of Seattle, the containers of the mixture will be transported by road from the Port of Seattle to Bovar Waste Management, Swan Hills Treatment Centre, Swan Hills, Alberta, Canada;
 - (g) the following processes for the disposal of the mixture will be carried out by Bovar Waste Management at the Swan Hills Treatment Centre:
 - (i) high-temperature incineration on land;
 - (ii) secure landfill of solid residues from incineration.

**5B Particulars of export of hazardous waste —
metal alkyl compounds in hydrocarbons**

For paragraph 18A (2) (a) of the Act, the following particulars are specified:

- (a) the hazardous waste to be exported is metal alkyl compounds in hydrocarbons;
- (b) the waste is stored by Basell Australia Pty Limited, Refinery Road, Corio, Victoria;
- (c) 12 400 kilograms of the waste is to be exported in the 12 months starting on the commencement of this regulation;

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- (d) the waste will be stored in 1 500-litre C430 tanks used only for that purpose and transported by road to either the Port of Melbourne or the Port of Sydney;
- (e) at either of those ports, the tanks containing the waste will be loaded onto ships for transport to Rotterdam in the Netherlands;
- (f) after unloading at Rotterdam, the tanks will be transported by road to the holding facility of AKZO Nobel Polymer Chemicals B.V., MAE Plant Botlek, Welplaatweg 12, Rotterdam;
- (g) after storage at the holding facility, the tanks will be transported by road to AVR CHEMIE B.V., Prof. Gerbrandyweg 10, Rotterdam-Botlek, and there the waste will be disposed of by:
- (i) high-temperature incineration; and
 - (ii) repackaging of the residue followed by its disposal in a specially engineered landfill.

[6] Schedule
substitute

Schedule 1 **Text of items B1010,
B2020, B3010, B3020 and
B3030 as modified by
subregulation 4 (2)**

(regulation 4)

B1010

Metal and metal-alloy wastes in metallic, non-dispersible form:

- Precious metals (gold, silver, the platinum group, but not mercury)
- Iron and steel scrap
- Copper scrap

- Nickel scrap
- Aluminium scrap
- Zinc scrap
- Tin scrap
- Tungsten scrap
- Molybdenum scrap
- Tantalum scrap
- Magnesium scrap
- Cobalt scrap
- Bismuth scrap
- Titanium scrap
- Zirconium scrap
- Manganese scrap
- Germanium scrap
- Vanadium scrap
- Scrap of hafnium, indium, niobium, rhenium and gallium
- Thorium scrap
- Rare earths scrap

B2020

Glass waste in non-dispersible form:

- Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses

B3010

Solid plastic waste:

The following plastic or mixed plastic materials, provided they are not mixed with other wastes and are prepared to a standard (other than bale properties) not less strict than the standard applicable to the resin type, product type and category of the material, set out in *Scrap Specifications Circular 1998, Guidelines for Plastic Scrap: P-98*, published by the Institute of Scrap Recycling Industries, Inc in 1998:

- Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following¹³:
 - ethylene
 - styrene
 - polypropylene
 - polyethylene terephthalate
 - acrylonitrile
 - butadiene
 - polyacetals
 - polyamides
 - polybutylene terephthalate
 - polycarbonates
 - polyethers
 - polyphenylene sulphides
 - acrylic polymers
 - alkanes C10 – C13 (plasticiser)
 - polyurethane (not containing CFC's)
 - polysiloxanes
 - polymethyl methacrylate
 - polyvinyl alcohol
 - polyvinyl butyral
 - polyvinyl acetate

¹³ It is understood that such scraps are completely polymerized.

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- Cured waste resins or condensation products including the following:
 - urea formaldehyde resins
 - phenol formaldehyde resins
 - melamine formaldehyde resins
 - epoxy resins
 - alkyd resins
 - polyamides
 - The following fluorinated polymer wastes¹⁴
 - perfluoroethylene/propylene (FEP)
 - perfluoroalkoxy alkane (PFA)
 - perfluoroalkoxy alkane (MFA)
 - polyvinylfluoride (PVF)
 - polyvinylidene fluoride (PVDF)

B3020

Paper, paperboard and paper product wastes

The following materials, provided they are not mixed with hazardous wastes:

Waste and scrap of paper or paperboard of:

- unbleached paper or paperboard or of corrugated paper or paperboard
- other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
- paper or paperboard made mainly of mechanical pulp (for example newspapers, journals and similar printed matter)
- other, including but not limited to
 - laminated paperboard
 - unsorted scrap

¹⁴ Post-consumer wastes are excluded from this entry.

B3030

Textile wastes

The following materials, provided they are not mixed with other wastes and are prepared to a specification:

- Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
 - not carded or combed
 - other
 - wastes shall not be mixed
 - problems arising from open-burning practices to be considered
- Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock
 - noils of wool or of fine animal hair
 - other waste of wool or of fine animal hair
 - waste of coarse animal hair
- Cotton waste (including yarn waste and garnetted stock)
 - yarn waste (including thread waste)
 - garnetted stock
 - other
- Flax tow and waste
 - Tow and waste (including yarn waste and garnetted stock) of true hemp (*Cannabis sativa* L.)
 - Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)
- Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus *Agave*
- Tow, noils and waste (including yarn waste and garnetted stock) of coconut
- Tow, noils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or *Musa textilis* Nee)
- Tow, noils and waste (including yarn waste and garnetted stock) or ramie and other vegetable textile fibres, not elsewhere specified or included

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- Waste (including noils, yarn waste and garnetted stock) of man-made fibres
 - of synthetic fibres
 - of artificial fibres
 - Worn clothing and other worn textile articles
 - Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials
 - sorted
 - other

Note For the meaning of *other wastes* in item B3010, see paragraph 2 of Article 1 of the Basel Convention. The text of the Convention, as it is in force for Australia, is set out in the Schedule to the *Hazardous Wastes (Regulation of Exports and Imports) Act 1989*.

Notes

1. These Regulations amend Statutory Rules 1996 No. 284.
2. Notified in the *Commonwealth of Australia Gazette* on *L* 2001. *2 August*

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