



Transporting Clinical and Pharmaceutical Waste

Is clinical and pharmaceutical waste a controlled waste?

Yes. Schedule 1 of the *Environmental Protection (Controlled Waste) Regulations 2004* (the Regulations) lists clinical waste, waste from the production or preparation of pharmaceutical products and waste pharmaceuticals, drugs or medicines as controlled waste.

In the Regulations, clinical waste is defined as:

waste generated by medical, nursing, dental, veterinary, pharmaceutical or other related activity which is –

- (a) poisonous or infectious;
- (b) likely to cause injury to public health; or
- (c) contains human tissue or body parts.

What are the different types of clinical and pharmaceutical waste holders?

Waste holders that generate clinical and pharmaceutical waste may include (but are not restricted to) acupuncture clinics, dental practitioners, analysis and research laboratories, funeral parlours, home healthcare providers, hospitals, medical centres, needle exchange programs, universities and veterinarians.

Do I need a controlled waste carrier licence to transport clinical and pharmaceutical waste?

Yes. Regulation 11 of the Regulations specifies that a carrier who transports a controlled waste on the road must be licensed.

Under the Regulations, the transportation of clinical and pharmaceutical waste may be bulk or packaged controlled waste.

Bulk controlled waste is controlled waste transported in a tank. For bulk controlled waste, the carrier, driver and vehicle or tank requires individual controlled waste licences.

Packaged controlled waste must be transported in anything other than a tank. Packaged controlled waste containers should be appropriately labelled.

Do I need a controlled waste tracking form to transport clinical and pharmaceutical waste?

A controlled waste tracking form (CWTF) must be completed for all loads of bulk controlled waste and all loads of packaged controlled waste equal to, or greater than, 200 kilograms (kgs) or litres (L).

Where can I unload clinical and pharmaceutical waste?

Clinical and pharmaceutical waste must be unloaded at a waste facility that is legally able to accept the waste type.

It is an offence under the Regulations to unload clinical and pharmaceutical waste other than at a waste facility that may lawfully receive that waste type.

If I am transporting clinical and pharmaceutical waste into or out of Western Australia, do I need to use a CWTF?

Yes, CWTFs are required when transporting all bulk controlled waste or packaged controlled waste of 200kg or 200L or more on a road in Western Australia, regardless of the destination. Specific provisions of the Regulations apply where a carrier or equivalent licence holder in another State or Territory seeks to transport controlled waste into, or out of, Western Australia (WA).

What are the different clinical and pharmaceutical controlled waste categories?

For the purposes of controlled waste tracking and reporting, DER categorises controlled wastes listed in Schedule 1 of the Regulations into 15 groups. Clinical and pharmaceutical wastes fall under category group R – clinical and pharmaceutical waste. Category group R contains four individual waste codes (R100, R120, R130 and R140).

When completing and submitting controlled waste tracking information to meet regulatory requirements, the waste code is used to reference the controlled waste type.

Information about the waste type and how it was generated may assist to determine whether waste is a controlled waste. To determine if waste is a clinical waste, you should refer to the Regulations for the definition of clinical waste and controlled waste.

Where the following items are determined to be controlled waste and clinical waste by the Regulations, they have the following waste codes:

R100 Clinical and Related Wastes

- sharps waste;
- infectious waste;
- human tissue waste such as organs, limbs and placenta;
- all free-flowing liquid body substances (for example blood);
- dressings saturated with blood/body fluids;
- laboratory waste, tissue samples and specimens or cultures discarded in the course of medical, dental or veterinary practice or research; and
- animal waste from medical or veterinary research or treatment that may be poisonous or infectious.

Sanitary napkins, incontinence pads and nappies may not be a clinical waste. Carriers of these types of waste should refer to the definition of clinical waste in the Regulations.

R120 Waste Pharmaceuticals, Drugs and Medicine

Pharmaceutical waste for the purposes of this category includes (but is not restricted to) waste material that may arise from pharmaceutical products that have:

- passed their recommended shelf life;
- been discarded due to off-specification batches or contaminated packaging;
- been returned by patients or discarded by the public; and
- been assessed as no longer required during manufacture of pharmaceuticals.

Pharmaceutical waste may also include any drugs listed in the substances Schedules of the *Poisons Act 1964*.

R130 Cytotoxic Waste

Cytotoxic waste includes waste material, such as sharps, contaminated with a cytotoxic drug.

R140 Waste from the Production or Preparation of Pharmaceutical Products

This waste code includes pharmaceuticals, drugs and medicine waste from the production or preparation of pharmaceutical products.

Penalties

Breaches of the Regulations may attract an on-the-spot infringement notice, penalties of \$250 or \$500, or a fine of up to \$5,000, as determined by a court. Pursuant to section 40(5) of the *Sentencing Act 1995*. Offences committed by corporations may attract a fine of up to \$25,000, as determined by a court.

Significantly larger penalties may result if there is a breach of the *Environmental Protection Act 1986*, such as pollution caused by illegal disposal of a controlled waste.

Prosecution can result in fines of up to \$1 million for a corporation, or in the case of an individual up to \$500,000 and/or imprisonment.

What other agencies also regulate clinical and pharmaceutical waste?

The requirements and information presented in this fact sheet relate to requirements under the *Environmental Protection Act 1986* and the *Environmental Protection (Controlled Waste) 2004*. Other agencies may also have requirements and/or information regarding clinical and pharmaceutical waste, such as:

- Department of Mines and Petroleum
Dangerous Goods
Phone: (08) 9358 8002; and
- Department of Health
Clinical and Related Waste Management
Phone: (08) 9222 4222.

More information

For advice on compliance with the Regulations or any other controlled waste matter, please contact DER on +61 8 6467 5000, or email cwts@der.wa.gov.au.

This document is available in alternative formats and other languages on request.

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Related documents

Additional publications about controlled waste are available online from www.der.wa.gov.au/controlledwaste or by contacting the Department on +61 8 6467 5000.

Legislation

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. Please refer to the State Law Publisher (SLP) for copies of the relevant legislation, available electronically from the SLP website at www.slp.wa.gov.au

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Legal advice

The information provided to you by DER in relation to this matter does not constitute legal advice. Due to the range of legal issues potentially involved in this matter, DER recommends that you obtain independent legal advice.