



## What is controlled waste?

Under the *Environmental Protection (Controlled Waste) Regulations 2004* (the Regulations):

2. **Controlled waste** means any matter that is—
- (a) within the definition of waste in the NEPM for the *Movement of Controlled Waste between States and Territories*;<sup>\*</sup> and
  - (b) listed in Schedule 1...

- 3.(4) Subject to subregulations (5) and (6), these regulations apply to a controlled waste that is produced by or as the result of—
- (a) an industrial or commercial activity;
  - (b) a medical, nursing, dental, veterinary, pharmaceutical or other related activity;
  - (c) activities carried out on or at a laboratory; or
  - (d) an apparatus for the treatment of sewage.

<sup>\*</sup>Under the *National Environment Protection (Movement of Controlled Waste between States and Territories) Measure*:

- Waste** means any:
- (a) discarded, rejected, unwanted, surplus or abandoned matter; or
  - (b) otherwise discarded, rejected, unwanted, surplus or abandoned matter intended for:

- (i) recycling, reprocessing, recovery, reuse, or purification by a separate operation from that which produced the matter; or
  - (ii) sale,
- whether of any value or not.

### Is my waste a controlled waste?

To determine if waste is a controlled waste, information about its composition, pH, flashpoint and/or the process that generated the waste may be required.

For some waste, knowing how it was generated is sufficient to establish whether it is a controlled waste; for example, waste from a septic tank.

However, for certain waste, chemical analysis is needed to determine the composition of the waste and identify whether it is a controlled waste as listed in Schedule 1 of the Regulations.

If a waste has been determined to be a controlled waste listed in Schedule 1 of the Regulations, it can be found on the waste category list—a quick-reference guide to recording controlled waste in short-form for tracking purposes.

The waste category list classifies the controlled waste into category groups and allocates a unique alpha-numeric code to each controlled waste.

The waste may also be dangerous goods. Regulations relating to transporting dangerous goods are separate from controlled waste

regulations. For more information on transporting dangerous goods, contact the Resources Safety Branch of the [Department of Mines and Petroleum](#).

## Controlled waste categories

For the purpose of tracking and transporting, controlled wastes are grouped into 15 broad categories:

- A – Plating and heat treatment
- B – Acids
- C – Bases
- D – Inorganic chemicals
- E – Reactive chemicals
- F – Paints, resins, inks and organic sludges
- G – Organic solvents
- H – Pesticides
- J – Oils
- K – Putrescible and organic wastes
- L – Industrial wash waters
- M – Organic chemicals
- N – Soils and sludge
- R – Clinical and pharmaceutical
- T – Miscellaneous

Each category group has a number of waste types relating to the controlled waste in Schedule 1. Each waste type is assigned a unique waste code; for example, K210 – sewage waste.

When completing and submitting controlled waste tracking information to meet regulatory requirements, this short-form waste code can be used to reference the controlled waste.

The waste category list also details examples of waste that fall under each controlled waste.

[What is controlled waste?](#)

## Bulk and packaged controlled waste

Controlled waste is contained as either bulk controlled waste, or packaged controlled waste.

Different licensing requirements apply to the different containment types.

### Bulk controlled waste

Under the Regulations:

2. **bulk controlled waste** means a controlled waste that is transported in a tank;

**tank** means an enclosed space that is on, attached to or part of a vehicle and used, or designed to be used, for the transportation of a liquid or gas in bulk...

### Packaged controlled waste

According to regulation 2:

**packaged controlled waste** means a controlled waste that is transported otherwise than as a bulk controlled waste...

This may include transportation in drums, skip bins, intermediate bulk containers (IBCs) or solid wastes such as tyres and contaminated soils.

## Recycling controlled waste

Regulatory requirements apply to controlled waste regardless of whether the material is being disposed, recycled, re-used or undergoing any other treatment process.

## Exclusions

There are some circumstances where the Regulations do not apply to controlled wastes transported on a road. Under the Regulations these are:

3.(6) (a) Controlled waste that is transported on a road under the *Radiation Safety (Transport of Radioactive Substances) Regulations 2002*.

For more information on the transportation and disposal of radioactive wastes contact the Radiation Health Branch of the [Department of Health](#).

3. (6) (b) a controlled waste that may be lawfully accepted at a Class I inert landfill site, Class II putrescible landfill, or Class III putrescible landfill facility (as determined by reference to the waste types set out in the document entitled '*Landfill Waste Classification and Waste Definition 1996*', published by the CEO and as amended from time to time...

The Regulations continue to apply to asbestos, clinical waste, tyres and encapsulated, chemically fixed, solidified or polymerised controlled waste even if they meet landfill waste acceptance criteria for Class I, II or III landfill facilities.

Under the Regulations other exclusions may also apply.

For more information on whether exclusions apply to transporting a controlled waste, contact the Department on +61 8 6467 5000.

## Penalties

Committing an offence under the Regulations, such as providing information that is false or misleading, may attract on-the-spot fines of \$250 or \$500, or a penalty of up to \$5,000. Pursuant to s 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 an offence takes place under the

*Environmental Protection Act 1986*, such as pollution caused by the illegal disposal of controlled waste.

Note: Under the *Environmental Protection Act 1986* thresholds may apply to the amount of waste stored, treated, reused or disposed of at a waste holder's premises.

## More information

For advice on compliance with the Regulations or any other controlled waste matter, please contact the Department on +61 8 6467 5000, or email Controlled Waste at [cwts@der.wa.gov.au](mailto:cwts@der.wa.gov.au).

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

## Related documents

Additional [publications about controlled waste](#) and related [controlled waste fact sheets](#) are available online on DER's website, 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 Regulations and the *Environmental Protection Act 1986* available from the State Law Publisher. Free electronic copies are available from [State Law Publisher website](#)

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## Legal advice

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