

Waste tracking for waste producers

Waste tracking helps stamp out illegal dumping, prevents waste going to the wrong facility and stops unfair competition. The Waste Regulation has been amended and simplified, making it easier for industry to comply with the requirements. The amended regulation, Protection of the Environment Operations (Waste) Regulation 2005, came into effect on 1 March 2006.

The following information will help you understand your responsibilities as a waste producer and determine what you need to do to comply with the Waste Regulation.

What are your responsibilities for tracking waste?

Waste producers* are responsible for ensuring that high-risk waste is transported only after all the necessary documents and checks have been completed.

***Note:** These tracking requirements also apply to operators of facilities who consign waste that was previously received from another site.

What are the types of waste that must be tracked?

The types of waste that must be tracked are listed in Schedule 1 of the Waste Regulation. The Department of Environment and Climate Change NSW (DECC) may issue an exemption in relation to one or more of the waste tracking requirements. For more information see the fact sheets *Characterising your waste* and *Waste that must be tracked*.

Can an authorised agent be used?

You may use an authorised agent to manage and track the transport of waste on your behalf. The authorised agent must be approved by DECC and you must have a written agreement with the authorised agent.

What is a consignment authorisation?

A consignment authorisation is issued to a waste consignor (either a waste producer or their authorised agent) by DECC or by an approved receiving facility. It allows the transport of specified waste from a consignor to a receiving facility. It can cover multiple loads and remain valid for up to one year. A separate transport certificate must accompany each load of waste that is being transported.

What is a transport certificate?

A waste transport certificate is a document containing required information about a load of waste and must accompany that load of waste during transport. It includes information about the waste, the consignor, transporter and receiving facility. Users of the DECC's online waste tracking system can create a transport certificate using the system.

If someone other than an authorised agent is used to manage or track waste, the responsibility for waste tracking remains with the waste producer.

What happens if you don't comply with the Regulation?

If waste is illegally dumped and harms the environment, the maximum penalty is \$5 000 000 or a 7-year jail sentence.

The maximum penalty for supplying false or misleading information about waste is \$250 000.

The maximum penalty for transporting waste, or causing waste to be transported to a place that cannot lawfully receive waste, is \$1 000 000.

What if the waste is transported out of NSW?

If the waste is to be transported out of NSW, contact the environment agency in the destination jurisdiction for a consignment authorisation.

What do you need to do?

Before waste is transported from your premises:

- ensure that you correctly characterise your waste
- ensure that the facility where the waste is being transported to is legally able to accept the waste.

If you are using an **authorised agent** to manage and track the transport of your waste, you must:

- ask for documentation to show that the authorised agent is approved by DECC
- have an agreement in writing with the authorised agent permitting them to consign waste on your behalf.

If you are not using an **authorised agent**, you must:

- obtain a consignment authorisation by contacting the waste facility that is receiving the waste or contact DECC
- ensure that a waste transport certificate is completed for the load of waste

- provide the waste transport certificate (with Part 1 completed) to the waste transporter
- ensure that the waste transporter is licensed or legally allowed to transport the waste.

What records do you need to keep?

Waste producers who do not use an approved online tracking system must keep copies of waste transport certificates for at least 4 years.

If you are using an authorised agent, you must keep a copy of the agreement for at least 4 years.

If you are using an approved tracking system you may not need to keep certain records such as copies of transport certificates. Most notifications required under the regulation can be done online using the DECC online tracking system.

What is the online tracking system?

The DECC online tracking system provides a method of meeting your obligations under the waste tracking requirements. Online tracking helps reduce the burden of paperwork on businesses, and makes enforcement and compliance easier. For example, businesses tracking waste movements online are not required to submit quarterly reports, as DECC can automatically collate the required data.

The DECC online tracking system can be used for waste transported within NSW or into NSW from other states or territories.

Find out more about the online tracking system at: www.environment.nsw.gov.au/owt/index.htm.

Related fact sheets

- Waste tracking for waste transporters
- Waste tracking for receiving facilities
- Waste tracking for authorised agents
- Online waste tracking
- Characterising your waste
- Waste that must be tracked
- Transporting waste interstate or overseas

