

Guideline

Waste Tracking

Overview for Generators

Under the Environmental Protection Regulation 2019 (the regulation), generators, transporters and receivers all have waste tracking responsibilities. Collectively they are referred to as 'waste handlers'. A generator is often a commercial or industrial organisation which produces or stores trackable regulated waste and arranges for this waste to be sent for storage, recycling, treatment or disposal at another location via an authorised transporter.

Definitions

Prescribed information – means the information stated in schedule 12 of the regulation, which a waste handler must record or give to another waste handler or to the Department of Environment and Science (the department). This requirement is met by correctly completing the relevant part(s) of the waste transport certificate (WTC).

Regulated waste – is defined in s42 of the regulation and is commercial or industrial waste, whether or not it has been immobilised or treated; and is of a type, or contains a constituent of a type, mentioned in schedule 9 part 1 of the regulation and includes for an element—any chemical compound containing the element; and anything that contains residues of the waste.

Trackable waste – A regulated waste of a type mentioned in Schedule 11 of the regulation to which the waste tracking provisions of the regulation apply.

Waste – Defined as in s13 of the Environmental Protection Act 1994 and includes anything other than a resource approved under Chapter 8 of the Waste Reduction and Recycling Act 2011 that is:

- left over, or an unwanted by-product, from an industrial, commercial, domestic or other activity, or
- surplus to the industrial, commercial, domestic or other activity generating the waste.

Waste can be a gas, liquid, solid or energy, or a combination of any of them. A thing can be waste whether or not it is of value.

Waste handlers' responsibilities

When transporting trackable waste, all waste handlers involved are responsible for recording the prescribed information about the waste, and in the case of generators and receivers, providing or arranging for the prescribed information to be provided to the department. If a person has more than one waste handling role (for example, if a person produces a load of trackable waste and transports it to someone else for treatment) the person must comply with each of the responsibilities as applicable.



Responsibilities of the generator

To meet the requirements of the waste tracking provisions, a generator must:

- Record the prescribed information about the waste (by completing Part 1 of the paper or electronic WTC or provide the data in an alternative way where the prescribed information is being submitted through a bulked data file)
- Give the prescribed information to the waste transporter
- Give the prescribed information to the department within seven days (pink copy of the WTC with parts 1 and 2 completed)
- Keep records of the waste transaction for five years (green copy of the WTC with parts 1 and 2 completed)
- Only give trackable waste to authorised waste transporters.

Use of an authorised waste transporter

Under s96 of the regulation, a generator of trackable waste must not give the waste to another person to transport it for fee or reward, or in a load or more than 250kg in a vehicle unless the other person holds, or is acting under, an environmental authority for transporting the waste in the vehicle.

Agent agreements

The waste generator, transporter or receiver may appoint an agent to act on their behalf to meet the waste tracking provisions. A copy of an agreement between a waste handler and an agent, or written notice from the agent specifying the name of the waste handler and the provisions of the agreement, must be supplied to the department on request. A separate agents agreement guideline is available on the department's website www.des.qld.gov.au. The agent is responsible under the regulation for providing the information on behalf of the waste handler. It is an offence for an agent to not comply with this requirement, unless they have relied upon information found to be false and misleading. The regulation allows for penalties of up to 20 penalty units.

Penalties

The regulation allows for penalties of up to 20 penalty units to be imposed if waste tracking information is not recorded, retained or provided to the department as required, or if trackable waste is given to an unauthorised waste transporter. Penalties can be imposed through infringement notices or may involve prosecution. There are also significant penalties under the Environmental Protection Act 1994 for providing false or misleading documents to the department or for the unlawful transport of regulated waste.

More information

For more information visit the department's website www.des.qld.gov.au, phone the department's Waste Tracking unit on (07) 3330 5677 or email waste.track@des.qld.gov.au.

Disclaimer

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Science should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.