



Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2007 (No. 1)¹

Select Legislative Instrument 2007 No. 34

I, PHILIP MICHAEL JEFFERY, 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 1 March 2007

P. M. JEFFERY
Governor-General

By His Excellency's Command

MALCOLM BLIGH TURNBULL
Minister for the Environment and Water Resources

1 Name of Regulations

These Regulations are the *Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2007 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Hazardous Waste (Regulation of Exports and Imports) Regulations 1996*

Schedule 1 amends the *Hazardous Waste (Regulation of Exports and Imports) Regulations 1996*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 3, definition of *recovery operation*, note *substitute*

Note 1 The following terms are defined in the Act:

- Basel Convention
- Basel export permit
- Basel import permit
- competent authority
- foreign country
- hazardous waste.

Note 2 An expression in these Regulations has the same meaning that it has in the Act: see paragraph 13 (1) (b) of the *Legislative Instruments Act 2003*.

[2] After regulation 5A*insert***5B Particulars of export of hazardous waste —
hexachlorobenzene**

- (1) For paragraph 18A (2) (a) of the Act, the hazardous waste to be exported is:
- (a) hexachlorobenzene and process residue related to hexachlorobenzene, being halogenated still bottoms and reaction residues, that is stored and transported in one or more of the following:
 - (i) 100-litre capacity steel drums;
 - (ii) 200-litre capacity steel drums;
 - (iii) 1 000-litre capacity intermediate bulk containers; or
 - (b) hexachlorobenzene and process residue related to hexachlorobenzene, being liquid halogenated still bottoms and reaction residues, that is stored and transported in 17 500-litre capacity iso-containers; or
 - (c) packaging containers that contain residues of, or are contaminated by, hexachlorobenzene and chlorinated hydrocarbons resulting from the storage of hexachlorobenzene, that are stored and transported in 1 000-litre capacity flexible intermediate bulk containers; or
 - (d) construction and demolition waste containing hexachlorobenzene and chlorinated hydrocarbons resulting from the storage of hexachlorobenzene, that are stored and transported in 1 000-litre capacity flexible intermediate bulk containers.
- (2) In addition to subregulation (1), the following further particulars are specified:
- (a) the hazardous waste mentioned in paragraphs (1) (a) to (d) is stored by Orica Australia Pty Ltd, 16-20 Beauchamp Road, Matraville, New South Wales 2036;
 - (b) the waste will be transported by road to Port Botany;

- (c) at Port Botany, the drums and containers containing the waste will be loaded onto ships for export to a disposal facility in Germany which is a party to the Basel Convention;
- (d) the waste will be disposed of in Germany by high temperature incineration on land;
- (e) any Basel export permit to authorise the export is to be granted within 12 months of the commencement of this regulation.

[3] Regulation 8

omit

Administrative Appeals Tribunal Act 1974

insert

Administrative Appeals Tribunal Act 1975

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.