

Waste tracking

for authorised agents

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 an authorised agent and determine what you need to do to comply with the Waste Regulation.

Who is an authorised agent?

An authorised agent is a licensed waste transporter or receiving facility approved by the Department of Environment and Climate Change NSW (DECC) to consign waste on behalf of a waste producer.

What are your responsibilities for tracking waste?

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

When an authorised agent arranges the transport of waste, the load can include waste from more than one location unless there are specific restrictions in the consignment authorisation preventing this.

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. DECC may grant 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*.

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 transported.

When an authorised agent is acting on behalf of one or more waste producers the consignment authorisation is issued to the authorised agent.

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.



Authorised agents transporting waste

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 taking on the role of an authorised agent you **must**:

- ensure that you are approved by DECC to act as an authorised agent
- obtain an agreement in writing between you and the waste producer stating that you are acting as an authorised agent for the producer.

When arranging the consignment of waste, you **must**:

- ensure that the facility where the waste is being transported to is legally able to accept the waste
- obtain a consignment authorisation by contacting the waste facility that receives the waste or contact DECC
- ensure that a waste transport certificate is completed for the load of waste
- provide the completed waste transport certificate to the waste transporter
- maintain a list of premises from where waste was collected for each load (this is separate to the waste transport certificate and should not be recorded on the transport certificate to protect the confidentiality of your customer list)

If you are also transporting waste, you should also see the *Waste tracking for waste transporters* fact sheet for information about your responsibilities as a transporter.

- ensure that the waste transporter is licensed or legally allowed to transport the waste.

Authorised agents must give a copy of the waste transport certificate or an agent's receipt to the waste producer within 7 days of you providing it to the waste transporter.

What records do you need to keep?

Authorised agents must keep copies for at least 4 years of:

- agreements made with waste producers
- a list of premises from where waste was collected.

Authorised agents not using an approved online tracking system must keep copies of waste transport certificates for at least 4 years.

If you use an approved online 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 paperwork burden 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 online tracking system has been designed to protect the confidentiality of authorised agents' customer lists.

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

