



Australian Government
**Department of the Environment,
Water, Heritage and the Arts**



**Practical measures for ensuring the
Environmentally Sound Management of
exported hazardous wastes**



The Basel Convention

The Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal (“the Convention”) was adopted on 1989.

Australia ratified the Convention on 5 February 1992.



The Basel Convention - Obligations

The Convention imposes several obligations (Article 4) on Parties linked to ensuring ESM of hazardous wastes.

These include:

- Article 4 (d) – reduce to a minimum and protect human health and the environment
- Article 4 (e) – prohibit export where ESM cannot be ensured
- Article 4 (g) – prevent the import if ESM cannot be ensured



The Department

The Department of the Environment, Water, Heritage and the Arts (DEWHA) is responsible for implementing Australia's obligations under the Basel Convention.

The Department is both the "Competent Authority" for the Convention and the "Focal Point" for Australia.



Environmentally Sound Management: Definition

Australian Hazardous Waste (Regulation of Exports and Imports) Act 1989:

“...taking all practicable steps to ensure that the waste is managed in a manner that will protect human health, and the environment, against the adverse effects that may result from the waste.”



The Act

The Department is responsible for administering the *Hazardous Waste (Regulation of Exports and Imports) Act 1989* ('the Act') which was developed to comply with the Basel Convention.

The Act was developed to control the international movement of hazardous wastes into and out of Australia.



The Act – Functions of the Department

Functions performed by the Department under the Act:

- Administration of permit applications;
- Compliance and enforcement;
- Legislative administration;
- Policy administration; and
- Participation in international fora.



The Act – Waste Treatment and Disposal

The Department also assesses whether Australia has the capacity to treat the waste for each permit application.

It is our preference to ensure that Australia's waste is disposed as close to the source as possible and always in environmentally sound manner.



Waste in Australia

There is a growing need for recycling due to higher consumption rates and increased redundancy of goods.

Recycling methods have evolved to match this change.

There are still issues with particular waste streams such as “e-waste”.



Australian Waste Generation

Population of over 20 million people.

Majority of the population lives on the east coast, with smaller populations on the west coast and in the south and far north.

There are logistical difficulties and economy of scale issues associated with waste transfer and recycling.



Waste Disposal Facilities

Australia has numerous waste disposal facilities, however the waste sector has not responded adequately in the past to the increased need for facilities.

Domestic and foreign waste companies do not view Australia as a financially viable market.



Domestic and International Waste Disposal

Whilst we are keen to promote Australia's domestic recycling industry we need to be realistic in view of our recycling capabilities.

Exportation of Australia's waste to Asia for recycling is viewed as a possible solution as long as it complies with ESM principles of the Basel Convention.



Environmentally Sound Management - Hazardous Waste Act

The export, import and transit of hazardous waste occurs through a permit process administered under the Hazardous Waste Act.

The Act implements the Basel Convention at a domestic level ensuring protection of human health and the environment.



Permit Process

Permit applications are submitted to the Department of the Environment, Heritage, Water and the Arts.

Australia must be satisfied that waste will be dealt with in an environmentally sound manner.

Export permits require proof of ESM as part of the permit process.



Permit Process – Proof of Environmentally Sound Management

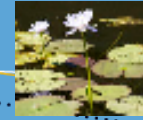
Proof of environmentally sound management of waste:

- Appropriate data on emissions to air and water;
- Adequately trained personnel; and
- Evidence of good record keeping, as it is an essential element in environmentally sound management.



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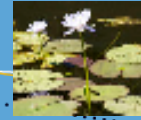
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Intelligence and Information Sharing

The Department receives intelligence and information from;

- Industry;
- the public;
- Customs Agencies;
- Other Basel Convention Competent Authorities; and
- State and Territory Environment Protection Agencies (EPAs).



Compliance and Enforcement

The Department works closely with;

- International Customs,
- Australian Customs,
- Federal and State Police, and
- State and Territory Environment Protection Agencies,

to prevent illegal movements of hazardous wastes



Conclusion

Australia is committed to the environmentally sound management of wastes.

As a signatory to the Basel Convention, Australia ensures this commitment is met through the administration of the Hazardous Waste Act and the resulting permitting process for the import, export and transit of such wastes.



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Questions?

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