

EXPOSURE DRAFT



EXPOSURE DRAFT

Industrial Chemicals Environmental Management (Register) Instrument 2020

I, Sussan Ley, Minister for the Environment, make the following instrument.

Dated 2020

Sussan Ley [DRAFT ONLY—NOT FOR SIGNATURE]
Minister for the Environment

EXPOSURE DRAFT

EXPOSURE DRAFT

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Definitions	1
5	Purpose of this instrument.....	2
Schedule 1—Non-hazardous, or low hazard, relevant industrial chemicals		
		3
1	Listing of relevant industrial chemicals	3
Schedule 2—Hazardous, low risk relevant industrial chemicals		
		4
1	Commercial disinfectant additive (masked name)	4
Schedule 3—Hazardous, moderate risk relevant industrial chemicals		
		5
1	Personal care product additive (masked name)	5
Schedule 4—Hazardous, higher risk relevant industrial chemicals		
		6
1	Plastics and resins additive (masked name)	6
Schedule 5—Relevant industrial chemicals with potentially significant and long lasting impacts on the environment		
		7
1	Pigment containing cadmium (masked name)	7
2	Antimicrobial polymer (masked name).....	8
Schedule 6—Severely restricted relevant industrial chemicals		
		10
1	Polychlorinated biphenyls.....	10
Schedule 7—Prohibited relevant industrial chemicals		
		11
1	Hexachlorobenzene.....	11

EXPOSURE DRAFT

1 Name

This instrument is the *Industrial Chemicals Environmental Management (Register) Instrument 2020*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 20(1) of the *Industrial Chemicals Environmental Management (Register) Act 2020*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) environment;
- (b) industrial use;
- (c) Industrial Chemicals Act;
- (d) relevant industrial chemical;
- (e) scheduling decision.

In this instrument:

Act means the *Industrial Chemicals Environmental Management (Register) Act 2020*.

CAS number has the same meaning as in the Industrial Chemicals Act.

environmentally sound management has the same meaning as in the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.

EXPOSURE DRAFT

Section 5

5 Purpose of this instrument

The purpose of this instrument is to establish a register of scheduling decisions for relevant industrial chemicals that are made or varied under Division 2 of Part 2 of the Act.

EXPOSURE DRAFT

Non-hazardous, or low hazard, relevant industrial chemicals **Schedule 1**

Schedule 1—Non-hazardous, or low hazard, relevant industrial chemicals

1 Listing of relevant industrial chemicals

The following relevant industrial chemicals are listed:

Listed relevant industrial chemicals		
Item	The relevant industrial chemical that is known as...	and that has the following CAS number...
1	2-Propenoic acid, 2-methyl-, methyl ester, polymer with 2,2-dimethyl-1,3-propanediol, ethenylbenzene, 2,5-furandione and 1,3-isobenzofurandione	100344-11-4
2	2-Butenedioic acid, (Z)-, monobutyl ester, polymer with butyl 2-propenoate, 1,4-diethenylbenzene, ethenylbenzene and 2,5-furandione	102667-28-7
3	2-Butenedioic acid, (Z)-, monoethyl ester, polymer with butyl 2-propenoate, 1,4-diethenylbenzene, ethenylbenzene and 2,5-furandione	102667-30-1
4	Fatty acids, linseed oil, polymers with maleic anhydride, pentaerythritol, phthalic anhydride and soybean oil	103069-87-0
5	2,5-Furandione, polymer with 2,2-bis[(2-propenyloxy)methyl]-1-butanol, 2,2'-oxybis[ethanol] and 1,2-propanediol, 2-(2-butoxyethoxy)ethyl ester	103070-09-3
6	1,3-Isobenzofurandione, polymer with 2,2-bis(hydroxymethyl)-1,3-propanediol and 2,5-furandione, isononanoate	103101-17-3
7	Fatty acids, peanut oil, polymers with maleic anhydride, phthalic anhydride, triethylene glycol and trimethylolpropane	103213-23-6

EXPOSURE DRAFT

Schedule 2 Hazardous, low risk relevant industrial chemicals

Schedule 2—Hazardous, low risk relevant industrial chemicals

1 Commercial disinfectant additive (masked name)

- (1) This clause applies to the relevant industrial chemical known as commercial disinfectant additive (masked name).
- (2) Each risk management measure specified in column 2 of an item of the following table is specified for an industrial use of the relevant industrial chemical that is specified in column 1 of the item.

Commercial disinfectant additive (masked name)		
Item	Column 1 Industrial use	Column 2 Risk management measure
1	Industrial use as an additive in cleaning and disinfecting products	Do not discharge the chemical directly to surface waters at a concentration greater than <i>x concentration</i> Do not apply the chemical directly to land at a concentration greater than <i>x concentration/time period</i>

EXPOSURE DRAFT

Hazardous, moderate risk relevant industrial chemicals **Schedule 3**

Schedule 3—Hazardous, moderate risk relevant industrial chemicals

1 Personal care product additive (masked name)

- (1) This clause applies to the relevant industrial chemical known as personal care product additive (masked name).
- (2) Each risk management measure specified in column 2 of an item of the following table is specified for an industrial use of the relevant industrial chemical that is specified in column 1 of the item.

Personal care product additive (masked name)

Item	Column 1 Industrial use	Column 2 Risk management measure
1	Industrial use as an additive in personal care products	Do not use packaging for the storage and/or handling of the chemical that allows the chemical to be discharged into the environment Do not dispose of empty bulk storage containers and drums containing the chemical other than through an <i>approved facility</i> Do not discharge the chemical directly to surface waters at a concentration greater than <i>x concentration</i>

EXPOSURE DRAFT

Schedule 4 Hazardous, higher risk relevant industrial chemicals

Schedule 4—Hazardous, higher risk relevant industrial chemicals

1 Plastics and resins additive (masked name)

- (1) This clause applies to the relevant industrial chemical known as plastics and resins additive (masked name).
- (2) Each risk management measure specified in column 2 of an item of the following table is specified for an industrial use of the relevant industrial chemical that is specified in column 1 of the item.

Plastics and resins additive (masked name)		
Item	Column 1 Industrial use	Column 2 Risk management measure
1	Industrial use as an additive in plastics and resins	Do not discharge the chemical directly to surface waters at a concentration greater than <i>x concentration</i> Do not apply the chemical directly to land at a concentration greater than <i>x concentration/time period</i> Do not dispose of empty bulk storage containers and drums containing the chemical other than through an <i>approved facility</i> Do not discharge the chemical to sewer at concentrations greater than <i>x concentration</i>

EXPOSURE DRAFT

Relevant industrial chemicals with potentially significant and long lasting impacts on the environment
Schedule 5

Schedule 5—Relevant industrial chemicals with potentially significant and long lasting impacts on the environment

1 Pigment containing cadmium (masked name)

- (1) This clause applies to the relevant industrial chemical known as pigment containing cadmium (masked name).
- (2) Each risk management measure specified in column 2 of an item of the following table is specified for an industrial use of the relevant industrial chemical that is specified in column 1 of the item.

Pigment containing cadmium (masked name)		
Item	Column 1 Industrial use	Column 2 Risk management measure
1	Industrial use as a pigment or dye (other than an industrial use specified in another item of this table)	Do not use packaging or containment systems, and/or plant and equipment, for the storage and/or handling of the chemical that allow the chemical to be discharged into the environment Do not use the chemical where its disposal cannot be controlled Do not discharge the chemical to sewer Do not discharge the chemical directly to surface water Do not discharge the chemical directly to marine water Do not discharge the chemical directly to freshwater Do not discharge the chemical directly to estuarine water Do not apply the chemical directly to land Do not discharge the chemical to air
2	Industrial use as a plastics additive	Do not use packaging or containment systems, and/or plant and equipment, for the storage and/or handling of the chemical that allow the chemical to be discharged into the environment Do not discharge the chemical to sewer at concentrations greater than <i>x concentration</i> Do not apply the chemical directly to land
3	Industrial use as a pigment in artist paint	Do not use packaging for the storage of the

EXPOSURE DRAFT

Schedule 5 Relevant industrial chemicals with potentially significant and long lasting impacts on the environment

Pigment containing cadmium (masked name)

Item	Column 1 Industrial use	Column 2 Risk management measure
		chemical that allows the chemical to be discharged into the environment Do not discharge the chemical to sewer at concentrations greater than <i>x concentration</i> Do not apply the chemical directly to land
4	Industrial use as a pigment for aviation applications	Do not use packaging or containment systems, and/or plant and equipment, for the storage and/or handling of the chemical that allow the chemical to be discharged into the environment Do not discharge the chemical directly to surface waters at a concentration greater than <i>x concentration</i> Do not discharge the chemical to sewer at concentrations greater than <i>x concentration</i> Do not apply the chemical directly to land

2 Antimicrobial polymer (masked name)

- (1) This clause applies to the relevant industrial chemical known as antimicrobial polymer (masked name).
- (2) Each risk management measure specified in column 2 of an item of the following table is specified for an industrial use of the relevant industrial chemical that is specified in column 1 of the item.

Antimicrobial polymer (masked name)

Item	Column 1 Industrial use	Column 2 Risk management measure
1	All industrial uses	Do not use packaging or containment systems, and/or plant and equipment, for the storage and/or handling of the chemical that allow the chemical to be discharged into the environment Apply best available techniques when treating a substance containing the chemical for disposal Do not dispose of empty bulk storage containers and drums containing the chemical other than through an <i>approved facility</i> Do not dispose of the chemical to the environment without an approval to do so, and prior to treatment to render the chemical

EXPOSURE DRAFT

Relevant industrial chemicals with potentially significant and long lasting impacts on the environment
Schedule 5

Antimicrobial polymer (masked name)		
Item	Column 1 Industrial use	Column 2 Risk management measure
		inactive Do not discharge the chemical to sewer unless permitted under an <i>approved agreement</i> Do not dispose of waste containing the chemical other than in an <i>approved facility</i> Do not discharge the chemical directly to surface waters at a concentration greater than <i>x concentration</i>
2	Industrial use in pools	Do not wash pool filtrate containing the chemical into sewer or storm water drains Remove, dry and dispose of pool filtrate containing the chemical to landfill

EXPOSURE DRAFT

Schedule 6 Severely restricted relevant industrial chemicals

Schedule 6—Severely restricted relevant industrial chemicals

1 Polychlorinated biphenyls

- (1) This clause applies to the relevant industrial chemical known as polychlorinated biphenyls or PCBs.
- (2) The CAS number for the relevant industrial chemical is 1336-36-3.
- (3) Each risk management measure (if any) specified in column 2 of an item of the following table is specified for an industrial use of the relevant industrial chemical that is specified in column 1 of the item.

Polychlorinated biphenyls

Item	Column 1 Industrial use	Column 2 Risk management measures
1	All industrial uses (other than an industrial use specified in another item of this table)	Do not export the chemical, or products or articles containing the chemical, except for the purposes of the environmentally sound management of the chemical Do not import the chemical or products or articles containing the chemical Do not manufacture the chemical or products or articles containing the chemical Do not use materials containing the chemical at concentrations greater than 2 mg/kg Remaining wastes and stockpiles of the chemical, and products and articles containing the chemical, must be disposed of through an <i>approved facility</i> Transport of wastes and stockpiles of the chemical, and products and articles containing the chemical, must be in accordance with <i>applicable transport requirements</i>
2	Industrial use in laboratory-scale research or as a reference standard	None

Note: The risk management measures specified in item 1 are consistent with the plan known as the PCB Management Plan (as approved by the Australian and New Zealand Environment and Conservation Council).

Schedule 7—Prohibited relevant industrial chemicals

1 Hexachlorobenzene

- (1) This clause applies to the relevant industrial chemical known as hexachlorobenzene or HCB.
- (2) The CAS number for the relevant industrial chemical is 118-74-1.
- (3) Each of the following risk management measures are specified for the relevant industrial chemical:

Specification of risk management measures

Item	Risk management measures
1	Do not export the chemical, or products or articles containing the chemical, except for the purposes of the environmentally sound management of the chemical
2	Do not import the chemical or products or articles containing the chemical
3	Do not manufacture the chemical or products or articles containing the chemical
4	Do not use the chemical other than in laboratory-scale research or as a reference standard
5	Remaining wastes and stockpiles of the chemical, and products and articles containing the chemical, must be disposed of through an <i>approved facility</i>
6	Transport of wastes and stockpiles of the chemical, and products and articles containing the chemical, must be in accordance with <i>applicable transport requirements</i>

Note: These risk management measures are consistent with the plan known as the HCB Waste Management Plan (as approved by the Australian and New Zealand Environment and Conservation Council).