**Schedule 7 – Relevant industrial chemicals that are likely to cause serious or irreversible harm to the environment with no essential uses**

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| **Relevant industrial chemical** |
| Chemical name: Hexabromocyclododecane, meaning 1,2,5,6,9,10-hexabromocyclododecane and including its main diastereoisomers: alpha- hexabromocyclododecane; beta- hexabromocyclododecane; and gamma-hexabromocyclododecane  CAS numbers: 25637-99-4, 3194-55-6, 134237-50-6, 134237-51-7 and 134237-52-8 |
| **Risk management measures including prohibitions and restrictions** |
| (a) This entry comes into effect on 1 July 2024. |
| (b) The import, manufacture and use of the chemical (whether on its own or in mixtures) are prohibited except: |
| (i) in circumstances where the chemical is present as unintentional trace contamination at a level equal to or below 100 mg/kg (to be reviewed by the department by 1 July 2027); or |
| (ii) for research or laboratory purposes; or |
| (iii) if a hazardous waste import permit authorises the import of the chemical. |
| (c) The import, manufacture and use of an article containing the chemical are prohibited except: |
| (i) in circumstances where the chemical is present in the article as unintentional trace contamination at a level equal to or below 100 mg/kg (to be reviewed by the department by 1 July 2027); or |
| (ii) for research or laboratory purposes; or |
| (iii) if a hazardous waste import permit authorises the import of the article; or |
| (iv) in circumstances in which the article is already in use on or before 1 July 2024. |
| (d) The export of the chemical (whether on its own or in mixtures), or an article containing the chemical, is prohibited except: |
| (i) for the chemical – in circumstances where the chemical is present as unintentional trace contamination at a level equal to or below 100 mg/kg (to be reviewed by the department by 1 July 2027); or |
| (ii) for the article – in circumstances where the chemical is present in the article as unintentional trace contamination at a level equal to or below 100 mg/kg (to be reviewed by the department by 1 July 2027); or |
| (iii) for research or laboratory purposes; or |
| (iv) if a hazardous waste export permit authorises the export of the chemical or the article. |
| **(e) Producers and holders of waste must undertake all reasonably practicable measures to avoid contamination of non-HBCDD waste with this chemical and must not dilute HBCDD waste with non-HBCDD waste to lower the HBCDD concentration below relevant waste handling and disposal thresholds.** |
| **(f) Waste consisting of, containing or contaminated by the chemical at a concentration that is equal to, or greater than, 500 mg/kg (this level to be review by the department on or before 1 July 2027) must be either:**  (i) treated in such a way as to ensure that the chemical is destroyed or irreversibly transformed so that the remaining waste and environmental releases do not contain chemicals that exhibit Schedule 6 or Schedule 7 risk characteristics, or  (ii) managed or disposed of in an environmentally sound manneras authorised under a law of the Commonwealth or a law of a State, where treatment in accordance with subparagraph (i) is not the environmentally preferable option. |
| (g) Waste consisting of, containing or contaminated by the chemical at a concentration of less than 500 mg/kg must be managed or disposed of in an environmentally sound manner as authorised under a law of the Commonwealth or a law of a State. |
| **(h) Disposal of waste must not lead to recovery, recycling, reclamation or re-use of the chemical on its own, subject to paragraph (i).** |
| **(i) In carrying out disposal, the chemical may be isolated from the waste, provided that the chemical is subsequently disposed of in accordance with paragraphs (f) and (g).** |
| **(j) If an activity in relation to the chemical, or an article containing the chemical, is not permitted under paragraph (b), (c) or (d), a holder of a stockpile of the chemical must:**  **(i) notify the relevant agency responsible for environmental protection of the nature and size of the stockpile; and**  **(ii) manage that stockpile as waste in accordance with paragraphs (f) and (g); and**  **(iii) comply with all relevant laws that apply in the relevant jurisdiction.** |
| (k) The IChEMS Minimum Standards must be complied with. |

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| **Terms defined in the Register instrument** |
| The following terms are to be defined in the Register:  ***article*** has the same meaning as in the *Industrial Chemicals Act 2019.*  ***disposal*** has the same meaning as in the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.  Note: Other grammatical forms of “disposal” (such as “disposed of”) have a corresponding meaning (see section 18A of the *Acts Interpretation Act 1901*).  ***environmental release*** means any introduction of pollutants into the environment as a result of any human activity, whether deliberate or accidental, routine or nonroutine.  ***hazardous waste export permit*** means an export permit within the meaning of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.  ***hazardous waste import permit*** means an import permit within the meaning of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.  ***IChEMS Minimum Standards*** means the minimum standards agreed to by Commonwealth, State and Territory environmental regulators as published by the [Environment] Department and as existing from time to time.  ***industrial use*** has the same meaning as in the *Industrial Chemicals Act 2019*.  ***manufacture*** has the same meaning as in the *Industrial Chemicals Act 2019.*  ***relevant agency*** includes:  (a) a department, agency or authority of the Commonwealth; and  (b) a State government body.  ***Schedule 6 risk characteristics*** has the same meaning as in the [*Industrial Chemicals Environmental Management (Register) Principles 2022*](https://www.legislation.gov.au/Details/F2022L01436).  ***Schedule 7 risk characteristics*** has the same meaning as in the [*Industrial Chemicals Environmental Management (Register) Principles 2022*](https://www.legislation.gov.au/Details/F2022L01436).  ***stockpile*** of a relevant industrial chemical means an accumulation of substances, mixtures or articles that contains, or consists of, the class of chemicals.  ***unintentional trace contamination*** means circumstances where a chemical is present unintentionally and unavoidably below a set level at which the class of chemicals cannot be meaningfully used.  ***use*** has the same meaning as in the *Industrial Chemicals Act 2019.*  ***waste*** has the same meaning as in the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*. |

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| **Terms defined in the *Industrial Chemicals Environmental Management (Register) Act 2021*** |
| ***CAS number*** for an industrial chemical has the same meaning as in the Industrial Chemicals Act  ***end use*** for an industrial chemical has the same meaning as in the Industrial Chemicals Act.  ***Environment Department*** means the Department administered by the Minister administering this Act.  ***relevant industrial chemical*** means:  (a) a particular industrial chemical; or  (b) a particular class of industrial chemicals.  ***State*** includes the Northern Territory and the Australian Capital Territory. |

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| **Terms defined in the *Industrial Chemicals Act 2019*** |
| ***article*** means an object that:  (a) is produced for use for a particular purpose, being a purpose that requires that the object have a particular shape, surface or design; and  (b) is formed to that shape, surface or design during production; and  (c) undergoes no change of chemical composition when used for that purpose except as an intrinsic aspect of that use;  but does not include an object of a kind prescribed by the rules for the purposes of this definition.  ***end use***, for an industrial chemical, means a purpose to which the industrial chemical can be applied.  ***manufacture*** an industrial chemical means do any of the following:  (a) produce the industrial chemical in the course of a chemical reaction;  (b) extract the industrial chemical from a natural environment, with or without chemical change;  (c) extract the industrial chemical from a UVCB substance;  (d) produce or extract the industrial chemical in circumstances prescribed by the rules for the purposes of this paragraph;  but does not include producing or extracting the industrial chemical as described in paragraphs (a), (b) or (c) in circumstances prescribed by the rules for the purposes of this definition.  ***use***, for an industrial chemical, includes any of the following activities involving the industrial chemical:  (a) processing;  (b) formulating;  (c) storing;  (d) transporting;  (e) filling into containers;  (f) transferring from a container to another container;  (g) handling;  (h) mixing;  (i) sampling and testing;  (j) producing an article;  (k) releasing into the environment (with or without prior treatment);  (l) activities relating to an end use for the industrial chemical;  (m) any other activity prescribed by the rules for the purposes of this paragraph;  but does not include an activity prescribed by the rules for the purposes of this definition. |

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| **Terms defined in the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*** |
| ***disposal*** means an operation specified in Annex IV to the[***Basel Convention***](https://www.basel.int/TheConvention/Overview/TextoftheConvention/tabid/1275/Default.aspx).  ***environmentally sound management***, in relation to hazardous waste, has the meaning given by section 4E:  a reference in this Act to the ***environmentally sound management*** of hazardous waste is a reference to 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.  ***hazardous waste export permit*** means a permit under section 17 (Hazardous Waste (Regulation of Exports and Imports) Act 1989) permitting the export of hazardous waste.  ***hazardous waste import permit*** means a permit under section 17 (Hazardous Waste (Regulation of Exports and Imports) Act 1989) permitting the import of hazardous waste.  ***waste*** means a substance or object that:  (a) is proposed to be disposed of; or  (b) is disposed of; or  (c) is required by a law of the Commonwealth, a State or a Territory to be disposed of. |