



## EXEMPTION NOTICE

### Environmental Protection (Controlled Waste) Regulations 2004 Part 4, Regulation 49

#### Exemption number CWE03/2023

In accordance with regulation 49(1), I am satisfied that:

- (a) the circumstances in which this exemption is requested are justifiable and accountable; and
- (b) the exemption will not adversely affect the operation of the Environmental Protection (Controlled Waste) Regulations 2004.

and

I HEREBY EXEMPT Electricity Networks Corporation trading as Western Power and subcontractors engaged by Western Power from Parts 2 and 3 of the Environmental Protection (Controlled Waste) Regulations 2004 on the terms and conditions set out in this notice.

#### Activity to which this exemption applies.

The transportation by Western Power, and subcontractors engaged by Western Power of:

- Electrical equipment containing oil and/or polychlorinated biphenyls (PCBs) and bulk or packaged loads of used oil and/or PCBs;
- Electrical equipment containing sulphur hexafluoride (SF<sub>6</sub>) and gas cylinders of used SF<sub>6</sub>;
- Chemically treated power poles;
- Used lead acid batteries (ULABs) and nickel cadmium (NiCd) batteries; and
- Light globes, lamps and fluorescent tubes containing controlled wastes listed in Schedule 1 of the Regulations.

from field locations within the South-West Interconnected Network (SWIN) (refer to Appendix A) to Western Power's depot or authorised service centre.

#### Exempted regulations

Western Power is exempted from compliance with the following regulations;

- Parts 2 and 3.



### **Conditions of this exemption**

1. The controlled waste is clearly labelled with controlled waste type prior to transport.
2. The controlled waste is stowed securely during transport in a separate compartment to the driver.
3. The quantity of waste transported by Western Power and subcontractors engaged by Western Power shall correspond with the quantity subsequently collected by a licensed controlled waste carrier from the Western Power depot or authorised service centre.
4. Western Power and subcontractors engaged by Western Power must ensure that the vehicle or tank used on a road to transport controlled waste is used in such a way as to prevent the waste spilling, discharging, or falling from the vehicle or tank.
5. Western Power must record the following information about each load of controlled waste:
  - a) Type of controlled waste
  - b) Amount of controlled waste
  - c) Collection and delivery date
  - d) Vehicle details
  - e) Driver details
  - f) Delivery site/location
  - g) Upon request, provide records to the CEO within 21 days.

In accordance with sub regulation 49(2E) if a condition of this exemption notice is breached, the exemption ceases to have effect.

### **Reasons for Granting of this exemption**

1. The circumstance in which this exemption is requested are justifiable and accountable.
2. The exemption will not adversely affect the operation of these Regulations.
3. Exemption CWE05/2020 is due to expire on 30 June 2023.
4. The circumstances of the exemption application have not changed from the previous exemption decision.

### **Period of Exemption**

This exemption begins on the date of this notice and ends on 30 June 2026.



### **Revocation or Variation**

In accordance with sub regulation 49(2) this exemption notice may be revoked or varied by me at any time by written notice.

Under sub regulation 49(2) exemption notice CWE05/2020 is hereby revoked.

Dated the 22<sup>nd</sup> day of June 2023.

**Kelly Faulkner**  
**Executive Director, Compliance and Enforcement**  
**Department of Water and Environmental Regulation**

*for the Chief Executive Officer*  
*under Notice of Delegation No. 151 dated 25 March 2020*



Appendix A – Map of South-West Interconnected Network (SWIN)

