

End of waste code

Waste Reduction and Recycling Act 2011

End of waste code for Tanalith E treated timber sawdust and shavings (EOWC010004168)

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Version history

Version	Date	Description of changes
1.00	14 September 2026	Commencement of EOW code

Prepared by: Waste Assessment, Department of the Environment, Tourism, Science and Innovation

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September 2026

1 Explanatory Statement

This End of Waste (EOW) code for **tanalith E treated timber sawdust and shavings** has been issued by the **chief executive** in accordance with section 159 of the *Waste Reduction and Recycling Act 2011* (WRR Act).

This EOW code states when **tanalith E treated timber sawdust and shavings** becomes a **resource** and any relevant requirements and/or conditions for its use. If the **tanalith E treated timber sawdust and shavings** is not being used in accordance with the relevant requirements and/or conditions of this EOW code, it is considered a waste under section 8AA of the WRR Act and must be disposed of appropriately at a facility that is **lawfully** able to receive the waste.

2 Guidance

2.1 Resource use versus activity

Under section 159 of the WRR Act, an EOW code specifies the circumstances when a waste becomes a resource; and conditions for how it must be used to be considered a resource.

An Environmental Authority (EA) under the *Environmental Protection Act 1994* (EP Act) is required where an activity being undertaken triggers the threshold for any environmentally relevant activity (ERA). This means that treating or processing the waste to meet the resource quality criteria under the EOW code may require an EA under the EP Act if the activity meets the threshold for an ERA.

2.2 Resource versus waste

A waste stops being a waste and becomes a **resource** when it meets the relevant requirements of an EOW code. A waste that becomes a **resource** under an EOW code is considered a **resource** only for the use(s) approved in the EOW code. A **resource** must be used in accordance with the conditions of the EOW code, otherwise it is considered a waste and must be managed in accordance with waste management requirements under the EP Act and the WRR Act and their subordinate legislation.

A **resource** under an EOW code, is deemed to be a waste again, if it is not used in accordance with the EOW code (including if it is being stored without use); if it is disposed of at a waste disposal site; or if it is deposited at a place in a way that would, apart from its use approved under an EOW code, constitute a contravention of the general littering provision (section 103) or the illegal dumping of waste provision (section 104) under the WRR Act.

2.3 Failure to comply

It is an offence under section 158(1) of the WRR Act for a **registered resource producer** to produce the **resource**, or use, sell or give away the **resource** unless they comply with the requirements under an EOW code. Further, it is an offence under section 158(2) of the WRR Act for a **person** to use the **resource** in a way, or for a purpose, that does not comply with an EOW code for the **resource**. These offences carry a maximum penalty of 1,665 penalty units for an individual and 8,325 penalty units for a corporation¹.

Please refer to Appendix A of this EOW code for general obligations for all **persons** operating under this EOW code, which includes the **resource users**.

¹ The value of a penalty unit is stated in the *Penalties and Sentences Regulation 2025* (Qld).

2.4 Lawfulness of the activity

The issuing of this EOW code for the use of a **resource** does not warrant or imply the lawfulness of the activity under all legislation, or that approvals necessary under other legislation have or will be approved. It is the responsibility of the **registered resource producer** and **resource user** to identify and obtain all other approvals necessary for the relevant activities.

3 Period of this EOW code

This EOW code takes effect from the day of gazettal of this EOW code and remains in force until it is amended, cancelled or suspended by the **chief executive**².

4 Waste to which this EOW code applies

This EOW code is limited to **tanalith E treated timber sawdust and shavings** meaning the shavings and sawdust produced from cutting and shaping timber treated with **tanalith E** wood preservative chemical. The **tanalith E treated timber sawdust and shavings** becomes a **resource** when *Requirements (6.1)-(6.3)* under this EOW code are met. Where not all conditions in this EOW code are complied with, the **resource** becomes a waste again in accordance with section 155(4) of the WRR Act.

5 Person to whom this EOW code applies

5.1 Registered resource producers of the resource

5.1.1 A **registered resource producer** for this EOW code must comply with the stated registered resource producer requirements in Section 6 – Registered Resource Producer Requirements.

5.2 Resource users

5.2.1 The **resource user** must only use the **resource** in a way, and for a purpose allowed under this EOW code.

5.2.2 The **resource user** must comply with the stated conditions of use in Section 7 – Conditions of Use.

² If an EOW code is to be amended, cancelled or suspended, the chief executive will provide an opportunity to make written submissions by providing a proposed action notice to the registered resource producers; and publishing the proposed action notice on the chief executive's [website](https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) (<https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework>).

6 Registered Resource Producer Requirements

Registration under this EOW code	
(6.1)	Prior to operating under this EOW code, the producer of the resource must register with the chief executive by giving a notice in the approved form ³ to become a registered resource producer for this EOW code.
Approved resource	
(6.2)	The approved resource is tanalith E treated timber sawdust and shavings which complies with <i>Requirement (6.3)</i> of this EOW code.
(6.3)	The registered resource producer must not use, sell or give away the resource under this EOW code unless the resource complies with all of the following criteria and quality characteristics: a) is sourced from operators operating under a quality management system to ensure the timber was treated with tanalith-E that meets the specifications listed in Table D.4(C) of Appendix D of AS/NZS 1604.1:2021; and b) only contains tanalith E wood preservative chemical as defined in Appendix D of AS/NZS 1604.1:2021.
Information to be provided	
(6.4)	The registered resource producer must provide the following to the resource user each time the resource is supplied for use: a) a copy of the <i>EOW code for Tanalith E timber treated sawdust and shavings (EOWC0010004168)</i>⁴; b) the registered resource producer's business name, ABN and address; c) confirmation in writing that the resource being supplied is compliant with the requirements of this EOW code; and d) an information sheet that: i. identifies that the resource contains only tanalith E wood preservative chemical with test results of total copper concentration; and ii. provides information on how the resource should be handled to prevent environmental harm.
Records	
(6.5)	The registered resource producer must keep the following records for each load of the resource supplied to a resource user: a) quantity (in tonnes or cubic metres) of the resource supplied;

³ The approved form, *Registered Resource Producer for an EOW code*, is available on the chief executive's [website](https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) (https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework).

⁴ This can be a physical copy, an electronic copy or a link to the chief executive's [website](https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) (https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) where this EOW code is available.

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	b) quality criteria of the resource (including but not limited to the quality characteristics listed in <i>Requirement (6.3)</i>); c) date of dispatch of the resource; and d) business name, ABN and address of the person receiving the resource.
(6.6)	All records required to be kept by the registered resource producer under this EOW code must be: a) kept by the registered resource producer for a period of not less than five (5) years; and b) provided to the chief executive upon request, in the format requested and in the time period specified.
Notification of emergencies , incidents and breaches	
(6.7)	Any breach of a requirement of this EOW code must be reported to the chief executive within 24 hours of becoming aware of the breach⁵.
(6.8)	Records of any breach of a requirement of this EOW code, including full details of the breach and any subsequent actions taken, must be kept and provided to the chief executive upon request, in the format requested and in the time period specified.

7 Conditions of Use

Notification under this EOW code	
(7.1)	Prior to operating under this EOW code, a person who intends to use the approved resource must notify the chief executive by giving a notice in the approved form⁶ at least 10 days prior to the commencement of using the resource.
Approved uses	
(7.2)	The approved resource must only be used as a feedstock in the manufacturing of compost in accordance with the conditions of this EOW code.
Resource use	
(7.3)	Use of the resource to manufacture compost must only be carried out at an appropriately licensed facility in accordance with the relevant environmental authority held by the resource user.
(7.4)	Notwithstanding <i>Condition (7.3)</i>, the resource must not exceed 5% of the total solid feedstock per batch used in the manufacture of compost.
(7.5)	All compost batches containing tanalith E wood preservative chemical must undergo a minimum composting period of 16 weeks during the manufacturing of compost.

⁵ Reporting can be via the **chief executive's** Pollution Hotline (1300 130 372 – option 2) or via online reporting through the **chief executive's website** (www.detsi.qld.gov.au).

⁶ The approved form, *Resource user for an EOW code notification form* is available on the chief executive's [website](http://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework) (<https://www.business.qld.gov.au/running-business/environment/waste-management/regulated-waste/eow-framework>).

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Storage of the resource	
(7.6)	Any storage of the resource on the site of use must not exceed the operational demand for the purpose of the use(s) approved under this EOW code.
(7.7)	The resource must be stored in a way that prevents contact with stormwater or runoff.
Sampling requirements	
(7.8)	Any compost manufactured using the approved resource must be sampled (per batch) in accordance with guidance provided in Appendix A (Methods for sampling, sample handling and preparation prior to analysis) of AS 4454 .
(7.9)	The resource user must keep records of the sampling carried out under <i>Condition (7.8)</i> , in accordance with <i>Condition (7.16)</i> .
Monitoring requirements	
(7.10)	All analysis required under this EOW code must be carried out by a laboratory that has NATA certification, or an equivalent certification (where possible ⁷), for such analyses.
Quality requirements	
(7.11)	Each batch of compost manufactured using the approved resource must not exceed the 'Unrestricted use upper limits' for contaminants listed in Table 3.1 (C) of AS 4454 .
(7.12)	Compost manufactured using the approved resource that contains levels of total copper (Cu) greater than 100 mg/kg but less than 150 mg/kg must provide a warning label in accordance with the labelling requirements of Clause 5.3 of AS 4454 .
(7.13)	Leachable concentrations of tanalith E must not exceed 5.5 µg/L in each batch of compost manufactured using the approved resource .
Records	
(7.14)	The resource user must record the following information for each load of the resource received by the resource user under this EOW code: a) business name, ABN and address of the registered resource producer who supplied the resource; b) date the resource user received the resource; c) quantity (in tonnes or cubic metres) of the resource received by the resource user; and d) site of use of the resource (e.g. street address, lot on plan and/or GPS coordinates).
(7.15)	All records required to be kept by the resource user under the conditions of this EOW code must be: a) kept by the resource user for a period of not less than five (5) years; and

⁷ Reporting can be via the chief executive's Pollution Hotline (1300 130 372 – option 2) or via online reporting through the chief executive's website (www.detsi.qld.gov.au).

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	b) provided to the chief executive upon request, in the format requested and in the time period specified.
Notification of emergencies , incidents and breaches	
(7.16)	Any breach of a condition of this EOW code must be reported to the chief executive within 24 hours of becoming aware of the breach ⁸ .
(7.17)	Records of any breach of a condition of this EOW code, including full details of the breach and any subsequent actions taken, must be kept and provided to the chief executive upon request, in the format requested and in the time period specified.

⁸ Reporting can be via the chief executive's Pollution Hotline (1300 130 372 – option 2) or via online reporting through the chief executive's [website](http://www.detsi.qld.gov.au) (www.detsi.qld.gov.au).

Definitions

Words and phrases used throughout this EOW code **in bold** are defined below. Where a definition for a term used in this EOW code is sought and the term is not defined within this EOW code the definitions provided in the relevant legislation shall be used.

‘ABN’ means Australian Business Number which is a unique 11 digit number issued by the Australian Business Register and identifies a business in Australia.

‘appropriately licenced facility’ means a facility operating under an **environmental authority** for environmentally relevant activity 53 (Organic material processing) as authorised under the *Environmental Protection Act 1994*.

‘AS/NZS 1604.1:2021’ means the Australian/New Zealand Standard – Preservative-treated wood-based products - Part 1: Product and treatment.

‘AS 4454’ means Australian Standard 4454 Composts, soil conditioners and mulches (2012), or its most recent version.

‘batch’ means a quantity of the **resource** blended for the production of **compost**.

‘chief executive’ means the Department of the Environment, Tourism, Science and Innovation or its successor.

‘compost’ has the meaning in **AS 4454** and is the organic product that has undergone controlled aerobic and thermophilic biological transformation through the composting process to achieve pasteurisation, reduce phytotoxic compounds, and achieved the specified level of maturity required for compost.

‘emergency(ies)’ means a situation where either human health or safety is threatened, or serious or material **environmental harm** has been or is likely to be caused; and urgent action is necessary to protect the health or safety of persons, or prevent or minimise the harm, or rehabilitate or restore the environment because of the harm.

‘environmental authority’ means a permit granted under the *Environmental Protection Act 1994* for carrying out an environmentally relevant activity.

‘environmental harm’ means environmental harm as defined in Chapter 1 of the *Environmental Protection Act 1994*.

‘lawful(ly)’ means allowed or permitted by law and not contrary to law.

‘load’ means the volume of **resource** put in or on something for conveyance or transportation, carried at one time and to one **site of use**. For example, a truck and trailer carrying the **resource** is considered as one load as well as multiple bins travelling by rail. Where the **resource** is transported via conveyor systems, information should be recorded on a daily basis until the transfer ceases.

‘NATA’ means the National Association of Testing Authorities.

‘person(s)’ means an individual or a corporation.

‘quality management system’ means a formalised system that documents processes, procedures and responsibilities for achieving product quality policies and objectives.

‘records’ include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs and any other record keeping required under the relevant requirements or conditions of this EOW code.

‘registered resource producer(s)’ means a **person** who produces the **resource** and has registered with the **chief executive** (in accordance with *Requirement (6.1)*) to use, sell or give away the **resource** to be used under this EOW code. Where the registered resource producer uses the resource, notification must also be made in the approved form in accordance with *Condition (7.1)* of this EOW code.

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‘representative sample’ means a sample taken in accordance with Appendix A (Methods for sampling, sample handling and preparation prior to analysis) of **AS 4454**.

‘resource’ means **tanalith E** that meets the criteria and quality characteristics in *Requirement (6.3)* of this EOW code.

‘resource user(s)’ means a **person** who has notified the **chief executive** (in accordance with *Condition (7.1)*) to receive the **resource** from a **registered resource producer** and uses the **resource** for a use approved under this EOW code and does so in such a manner which does not cause any **environmental harm**.

‘site of use’ means the relevant location(s) where the **resource user** uses the **resource** in accordance with this EOW code.

‘SPLP’ means Synthetic Precipitation Leaching Procedure.

‘tanalith E’ means APVMA-registered timber preservative chemical given the registration numbers 68552 and 84164, which are water-based, arsenic- and chromium-free wood preservatives containing copper and tebuconazole.

‘tanalith E treated timber sawdust and shavings’ means the shavings and sawdust produced from cutting and shaping timber treated with **tanalith E** wood preservative chemical.

- END -

Appendix A —General obligation for all persons

This appendix is not intended to provide a comprehensive assessment of all obligations under Queensland law. It provides some general information and persons are encouraged to familiarise themselves with all requirements related to their specific operation.

Responsibilities under the *Environmental Protection Act 1994*

All persons within the State of Queensland must also meet their obligations under the *Environmental Protection Act 1994*, and the regulations made under that Act.

General environmental duty

Section 319 of the *Environmental Protection Act 1994* (EP Act) states that we all have a general environmental duty. This means that we are all responsible for the actions we take that affect the environment. We must not carry out any activity that causes or is likely to cause environmental harm unless we take all reasonably practicable measures to prevent or minimise the harm. To decide what meets your general environmental duty, you need to consider:

- the nature of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

It is an offence to contravene the general environmental duty if this contravention causes or is likely to cause serious or material environmental harm.

More information is available on the Department's website www.detsi.qld.gov.au.

Duty to restore

In the event that an incident contaminates the environment causing unlawful environmental harm, the duty to restore may apply. Section 319C of the EP Act states that if a person causes or permits an incident involving contamination of the environment to happen that results in unlawful environmental harm, they must take reasonably practicable measures to rehabilitate or restore the environment to its condition before the harm. These measures must be taken as soon as reasonably practicable after the incident happens. A person should not wait for instructions from the administering authority to clean-up or remediate contamination.

When deciding measures to take to comply with the duty, regard must be had to:

- the nature and extent of the harm or potential harm
- the sensitivity of the receiving environment
- the current state of technical knowledge for the activity
- the likelihood of the successful application of the different measures to prevent or minimise environmental harm that might be taken
- the financial implications of the different measures as they would relate to the type of activity.

A person commits an offence against the duty to restore if they contravene the duty and the contravention relates to harm that is serious or material environmental harm.

More information is available on the Department's website www.detsi.qld.gov.au.

Duty to notify

Sections 320 to 320E of the EP Act outline situations in which a person has a duty to notify the department of environmental harm being caused or threatened. The duty is commonly engaged when a person carrying out an activity becomes aware, or ought reasonably to have become aware, that an event has happened that causes or threatens serious or material environmental harm. Notification must always occur if there has been a pollution incident that will cause, or threatens to cause, material or serious environmental harm.

Other relevant offences under the *Environmental Protection Act 1994*

Causing serious or material environmental harm (sections 437–39)

Material and serious environmental harm are defined in sections 16 and 17 of the EP Act. Material environmental harm is when the harm is not trivial or negligible in nature. Serious environmental harm is harm that is irreversible, of a high impact or widespread, or that is caused to an area of high conservation value or special significance. Damages, or costs required to rehabilitate the environment, of over thresholds amounts in the EP Act also constitutes material or serious environmental harm.

Causing environmental nuisance (section 440)

Environmental nuisance is unreasonable interference with an environmental value caused by aerosols, fumes, light, noise, odour, particles or smoke. It may also include an unhealthy, offensive or unsightly condition because of contamination.

Depositing a prescribed water contaminant in waters (section 440ZG)

Prescribed water contaminants include a wide variety of contaminants listed in Schedule 9 of the Environmental Protection Regulation 2019.

It is your responsibility to ensure that prescribed water contaminants are not left in a place where they may or do enter a waterway, the ocean or a stormwater drain. This includes making sure that stormwater falling on or running across your site does not leave the site contaminated. Where stormwater contamination occurs you must ensure that it is treated to remove contaminants. You should also consider where and how you store material used in your processes onsite to reduce the chance of water contamination.

Placing a contaminant where environmental harm or nuisance may be caused (section 443)

A person must not cause or allow a contaminant to be placed in a position where it could reasonably be expected to cause serious or material environmental harm or environmental nuisance.

Some relevant offences under the *Waste Reduction and Recycling Act 2011*

Littering (section 103)

Litter is any domestic or commercial **waste** and any material a person might reasonably believe is refuse, debris or rubbish. Litter can be almost any material that is disposed of incorrectly. Litter includes cigarette butts and drink bottles dropped on the ground, fast food wrappers thrown out of the car window, poorly secured material from a trailer or grass clippings swept into the gutter. However, litter does not include any gas, dust, smoke or material emitted or produced during, or because of, the normal operations of a building, manufacturing, mining or primary industry.

Illegal dumping of waste (section 104)

Illegal dumping is the dumping of large volumes of litter (200 litres or more) at a place. Illegal dumping can also include abandoned vehicles.

Failure to comply with EOW code (section 158)

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A registered resource producer for an EOW code must not use, sell or give away the resource unless the registered resource producer complies with the requirements of the EOW code relating to the resource.

A person, other than a registered resource producer, must not use a resource in a way, or for a purpose, that does not comply with an EOW code for the resource.

Approved:

3 September 2026

Enquiries:

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