



Production, processing or consumption of CWC Schedule 2 chemicals

Guide to Permit Application/Renewal & Notification

When is a permit application or renewal required ?

Section 16(2) of the *Chemical Weapons (Prohibition) Act 1994* requires the operator of a facility to obtain a permit to operate the facility during a particular calendar year if an amount of a CWC Schedule 2 chemical exceeding, in the aggregate, the permit threshold for that chemical is likely to be produced, processed or consumed at a plant comprising, or comprising part of, the facility during the year. For chemicals listed in Schedule 2A, the permit threshold is 100kg, or 1kg where marked with an asterisk. For chemicals in Schedule 2B, the permit threshold is 1 tonne. (A listing of CWC Scheduled chemicals is attached to this guide).

Application to renew a permit for a calendar year needs to be made by 14 October in the preceding year. To apply for a permit or renewal of a permit, use the form referred to in this guide.

The *Chemical Weapons (Prohibition) Act* prescribes penalties for operating a facility without a permit, if one is required.

When is a notification required ?

Section 28 of the *Chemical Weapons (Prohibition) Act* requires the operator of a facility to make a notification if a permit is held under section 16(2) during a year, but one is not required for the next calendar year (eg. because activities will have ceased) - notification must be made by 14 October in the year.

To make a notification, use the form referred to in this guide, although questions 23 to 26 do not need to be answered.

How to complete the form

The form has been designed to minimise the need for the applicant or notifier to enter new data, where CWCO holds existing records. Existing data will be shown in the left hand column. Any corrections or updates should be written alongside in the right hand column, as should all details for a new application or notification.

When you have completed the form, please sign the declaration on the last page and return the form to CWCO. The *Chemical Weapons (Prohibition) Act* prescribes penalties for provision of false or misleading information.

The following notes should be of help in answering questions. If you have any queries, please contact the Head of CWCO on either (02) 6261 1914 or (02) 6261 1920.

Confidentiality

The main purpose of collecting this information is to enable CWCO to prepare declarations to be provided to the Organization for the Prohibition of Chemical Weapons (OPCW). Each country which is a party to the CWC must make these declarations as a part of measures to provide assurance that the country is complying with its obligations under the Convention. The CWC contains strict measures for the protection of information provided to the OPCW. The principle guiding these measures is that

it is only to fulfil obligations under the Convention that information and data can be used or disseminated by the OPCW or requested by any other country. This is reflected in the *Chemical Weapons (Prohibition) Act*, which prescribes criminal penalties for unauthorised release of information by CWCO officers.

To help create transparency, and confidence in the CWC, the Convention provides that certain information be made available, if requested, to the CWCO's counterparts in other countries which are party to the CWC. Australian information disclosed following such a request must also be protected by the CWCO's counterpart with the level of confidentiality specified by the CWCO. For Schedule 2 facilities, information contained in Items 1 (name only), 6, 7, 11-13, 15, 16, and 21 on the form would be available.

If there is any particular aspect of the information you provide which you believe requires special protection, the level of protection sought should be based on the OPCW criteria set out below. Please describe the information to be protected against the classifications at item 27 on the form. If you do indicate that certain details require particular protection, CWCO will not include these in the reminder sent to you for permit renewal. The OPCW's classification categories are :

"OPCW R estricted"	information for which unauthorised disclosure <i>would be prejudicial</i> to the interests of Australia, or of a commercial or governmental body or citizen
"OPCW P rotected"	information for which unauthorised disclosure may <i>cause substantial damage</i> to the interests of Australia, or of a commercial or governmental body or citizen
"OPCW H ighly Protected"	information for which unauthorised disclosure would <i>cause serious damage from the point of view of national security or commercial secrecy</i> , to the interests of Australia or of a commercial or governmental body or citizen

Definitions

The following definitions are provided for guidance, and are based on the more detailed definitions specified in the *Chemical Weapons (Prohibition) Act* and the CWC.

- A *plant site*, is the local integration of one or more *plants*, with any intermediate administrative levels, which are under one operational control, and includes common infrastructure. The term *facility*, when related to activities with Schedule 2 chemicals, has the same meaning as *plant site*.
- A *plant* means a relatively self-contained area, structure or building containing one or more *units* with auxiliary and associated infrastructure. (A *unit* means the combination of those items of equipment, including vessels and vessel set up, necessary for the production, processing or consumption of a chemical.)
- *Production* of a chemical is its formation through chemical reaction. Production of chemicals should be reported, even if produced as intermediates and irrespective of whether or not they are isolated.
- *Processing* of a chemical is a physical process, such as formulation, extraction or purification, in which the chemical is not converted into another chemical. Processing does not include activities such as sub-distribution and packaging.
- *Consumption* is defined as a process converting one chemical into another chemical via a chemical reaction.

Schedule 2 Chemicals

Schedule 2 Chemicals

(some common or trade names are shown in italics following the relevant chemical name)

	CAS Number	Import Tariff / Statistical Code
A. Toxic Chemicals		
2.1 Amiton: <i>O,O</i> -Diethyl <i>S</i> -[2-(diethylamino)ethyl] phosphorothiolate and corresponding alkylated and protonated salts.	78-53-5	2930.90.00.58
2.2 PFIB: 1,1,3,3,3-pentafluoro-2-(trifluoromethyl)-1-propene	382-21-8	2903.30.00.65
2.3 BZ: 3-Quinuclidinyl benzilate*	6581-06-2	2933.39.00.61
B. Precursors		
2.4 Chemicals, except for those listed in Schedule 1, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms. Eg:		2931.00.90.90
• Methylphosphonyl dichloride	676-97-1	2931.00.90.60
• Ethylphosphinyl dichloride	1498-40-4	2931.00.90.61
• Ethylphosphonyl dichloride	1066-50-8	2931.00.90.62
• Diethyl methylphosphonite	15715-41-0	2931.00.90.63
• Dimethyl ethylphosphonate	6163-75-3	2931.00.90.64
• Dimethyl propylphosphonate	18755-43-6	2931.00.90.83
• Diethyl methylphosphonate	683-08-9	2931.00.90.65
• Ethylphosphinyl difluoride	430-78-4	2931.00.90.66
• Methylphosphinyl difluoride	753-59-3	2931.00.90.67
• Diethyl ethylphosphonate (phosphonic acid, ethyl-, diethyl ester)	78-38-6	2931.00.90.68
• Methylphosphonic acid (phosphonic acid, methyl)	993-13-5	2931.00.90.69
• Dimethyl methylphosphonate (phosphonic acid, methyl-,dimethyl ester)	756-79-6	2931.00.90.70
• Phosphonic acid, methyl-, dimethyl ester, polymer with oxirane and phosphorus oxide (P ₂ O ₅) <i>Fyrol 51</i>	70715-06-9	2931.00.90.85
• Diphenyl methylphosphonate	7526-26-3	2931.00.90.71
• Phosphonic acid, methyl-, mono[3-(trihydroxysilyl)propyl] ester, monosodium salt	84962-98-1	2931.00.90.72
• Phosphonic acid, methyl-, methyl 3-(trimethoxysilyl)-propyl ester	67812-17-3	2931.00.90.73
• Phosphonic acid, methyl-, monoammonium salt	34255-87-3	2931.00.90.74
• Phosphonic acid, methyl-, monomethyl ester, monosodium salt	73750-69-3	2931.00.90.75
• Phosphonothioic dichloride, ethyl-	993-43-1	2930.90.00.43
• Methylphosphinyl dichloride (phosphonous dichloride, methyl-)	676-83-5	2931.00.90.76
• Phosphonic acid, methyl-, bis(3-(trimethoxysilyl)propyl) ester	67812-18-4	2931.00.90.77
• Phosphonic acid, methyl-, compd. with (aminoiminomethyl) urea (1:1)	84402-58-4	2931.00.90.78
• Phosphonic acid, methyl-, (5-ethyl-2-methyl-1,3,2-dioxaphosphorinan-5-yl) methyl methyl ester, <i>P</i> -oxide	41203-81-0	2931.00.90.79
• Phosphonic acid, methyl-, bis[(5-ethyl-2-methyl-1,3,2-dioxaphosphorinan-5-yl) methyl ester, <i>P,P'</i> -dioxide	42595-45-9	2931.00.90.80
• <i>Reoflam 306 (Swift & Company Ltd)</i>		3824.90.90.56
• <i>Dow Corning® Q1-6083 Antifreeze Additive</i>		3820.00.00.32

Schedule 2 Chemicals (continued)	CAS Number	Import Tariff / Statistical Code
<ul style="list-style-type: none"> <i>Flovan CGN (Ciba Specialty Chemicals Pty Ltd) or Flammentin MSG (Thor Specialties Pty Ltd)</i> 		3809.91.00.46
<ul style="list-style-type: none"> <i>Antiblaze™ V490 (Rhodia Australia)</i> 		2931.00.90.68
<ul style="list-style-type: none"> <i>Antiblaze™ CU (Rhodia Australia) or Pekoflam Pes New (Clariant Australia Pty Ltd)</i> 		3809.91.00.46
<ul style="list-style-type: none"> <i>Fyrol DMMP, Fyrol 51 (Swift & Company Ltd)</i> 		2931.00.90.85
Exemption: Fonofos: <i>O-Ethyl S-phenylethylphosphono-thiolothionate</i>	944-22-9	2930.90.00.61
2.5 <i>N,N</i> -Dialkyl (Me, Et, <i>n</i> -Pr or <i>i</i> -Pr) phosphoramidic dihalides. eg: - <i>N,N</i> -Dimethylphosphoramidic dichloride	677-43-0	2929.90.00.41 2929.90.00.40
2.6 Dialkyl (Me, Et, <i>n</i> -Pr or <i>i</i> -Pr) <i>N,N</i> -dialkyl (Me, Et, <i>n</i> -Pr or <i>i</i> -Pr)-phosphoramidates. eg: - Diethyl <i>N,N</i> -Dimethylphosphoramidate	2404-03-7	2929.90.00.52 2929.90.00.51
2.7 Arsenic trichloride (arsenous trichloride)	7784-34-1	2812.10.00.35
2.8 2,2-Diphenyl-2-hydroxyacetic acid (benzilic acid)	76-93-7	2918.19.00.35
2.9 Quinuclidine-3-ol	1619-34-7	2933.39.00.62
2.10 <i>N,N</i> -Dialkyl (Me, Et, <i>n</i> -Pr or <i>i</i> -Pr) aminoethyl-2-chlorides and corresponding protonated salts. eg:		2921.19.00.75
<ul style="list-style-type: none"> <i>N,N</i>-Diethylaminoethyl-2-chloride, hydrochloride (Ethanamine, 2-chloro- <i>N,N</i>-diethyl hydrochloride) 	869-24-9	2921.19.00.38
<ul style="list-style-type: none"> <i>N,N</i>-Diethylaminoethyl-2-chloride 	100-35-6	2921.19.00.39
<ul style="list-style-type: none"> <i>N,N</i>-Diisopropylaminoethyl-2-chloride hydrochloride 	4261-68-1	2921.19.00.40
<ul style="list-style-type: none"> <i>N,N</i>-Diisopropyl-2-aminoethyl chloride 	96-79-7	2921.19.00.42
2.11 <i>N,N</i> -Dialkyl (Me, Et, <i>n</i> -Pr or <i>i</i> -Pr) aminoethane-2-ols and corresponding protonated salts. eg: <i>2-Diisopropylaminoethanol</i>	96-80-0	2922.19.00.47 2922.19.00.46
Exemptions:		
<ul style="list-style-type: none"> <i>N,N</i>-Dimethylaminoethanol and corresponding protonated salts 	108-01-0	2922.19.00.40
<ul style="list-style-type: none"> <i>N,N</i>-Diethylaminoethanol and corresponding protonated salts 	100-37-8	2922.19.00.41
2.12 <i>N,N</i> -Dialkyl (Me, Et, <i>n</i> -Pr or <i>i</i> -Pr) aminoethane-2-thiols and corresponding protonated salts. eg: - <i>N,N</i> -Dimethylaminoethane-2-thiol hydrochloride - <i>N,N</i> -Diisopropylaminoethane-2-thiol hydrochloride	13242-44-9 41480-75-5	2930.90.00.47 2930.90.00.40 2930.90.00.41
2.13 Thiodiglycol <i>Glyezin A (Stelco Chemicals) Basazol C Yellow 50L or Basazol C Orange 54L (BASF Australia Limited)</i>	111-48-8	2930.90.00.60
2.14 Pinacolyl alcohol: 3,3-dimethylbutan-2-ol (2-butanol, 3,3-dimethyl-)	464-07-3	2905.19.90.52

Note to Schedules: Chemicals that are commonly traded are highlighted in blue text and chemicals that are exempt of currently not regulated are printed in red text.