



Western Australia

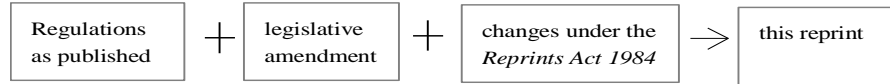
Environmental Protection Act 1986

**Environmental Protection
(Kwinana) (Atmospheric Wastes)
Regulations 1992**

Reprint 1: The regulations as at 6 February 2004

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992

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Reprinted under the
Reprints Act 1984 as
at 6 February 2004

Western Australia

Environmental Protection Act 1986

Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992

1. Citation

These regulations may be cited as the *Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992*¹.

2. Interpretation

In these regulations —

- (a) **“equivalent aerodynamic diameter”**, in relation to a particle, means the diameter of a spherical particle of a density of 1 000 kilograms per cubic metre which exhibits the same aerodynamic behaviour as the first-mentioned particle;

“ $\mu\text{g}/\text{m}^3$ ”, when used in relation to the measurement of an atmospheric waste, means the concentration of that waste in micrograms per cubic metre of dry air at 0 degrees Celsius and one atmosphere pressure (101.325 kilopascals);

“the policy” means the *Environmental Protection (Kwinana) (Atmospheric Wastes) Policy 1999* approved under the *Environmental Protection (Kwinana) (Atmospheric Wastes) Policy Approval Order 1999* and set out in the Schedule to that Order;

“total suspended particulates” means inert particles each having an equivalent aerodynamic diameter of less than 50 micrometres; and

- (b) unless the contrary intention appears, other words and expressions have the same respective meanings as they have in the policy.

[Regulation 2 amended in Gazette 21 Dec 1999 p. 6404.]

3. Definition of “atmospheric waste”

- (1) For the purposes of paragraph (a) of the definition of “atmospheric waste” in clause 3(1) of the policy, sulphur dioxide is a prescribed kind of gaseous substance.
- (2) For the purposes of paragraph (b) of the definition of “atmospheric waste” in clause 3(1) of the policy, total suspended particulates are a prescribed kind of particulate substance.

4. Ambient air quality standards and ambient air quality limits for atmospheric wastes

For the purposes of clause 6 of the policy —

- (a) the ambient air quality standard and ambient air quality limit for the concentration of sulphur dioxide in the relevant portion of the environment over an area referred to in the second column of Schedule 1 are the standard and limit (expressed in $\mu\text{g}/\text{m}^3$) specified in relation to that area in the third and fourth columns respectively of that Schedule when averaged over the period of time specified in the fifth column of that Schedule;

- (b) the ambient air quality standard and ambient air quality limit for the concentration of total suspended particulates in the relevant portion of the environment over an area referred to in the second column of Schedule 2 are the standard and limit (expressed in $\mu\text{g}/\text{m}^3$) specified in relation to that area in the third and fourth columns respectively of that Schedule when averaged over the period of time specified in the fifth column of that Schedule.

5. Prescribed licence conditions for industrial premises in Policy Area

- (1) For the purposes of section 62(1)(h) of the Act the following conditions are prescribed as conditions that may be specified in a licence issued in respect of industrial premises in the Policy Area —
 - (a) a condition that the occupier of the premises shall control the discharge of a specified atmospheric waste from specified industrial sources within those premises so as to ensure that the quantities of the waste so discharged comply with the relevant determination;
 - (b) a condition that the occupier of the premises shall —
 - (i) control the discharge of a specified atmospheric waste from specified industrial sources within those premises so as to achieve compliance with the relevant determination within a specified period and in accordance with a specified compliance programme;
 - (ii) take specified measures for the purpose of achieving, or monitoring the extent of, compliance with the relevant determination; and

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- (iii) furnish to the Chief Executive Officer, at specified intervals of time, a report on the progress being made towards compliance with the relevant determination.
- (2) In subclause (1) —
“**specified**” means specified in the licence concerned.

Schedule 1

[Regulation 4(a)]

Ambient air quality standards and ambient air quality limits — sulphur dioxide

Item	Area	Standard ($\mu\text{g}/\text{m}^3$)	Limit ($\mu\text{g}/\text{m}^3$)	Averaging period
1	Area A	700	1 400	1 hour
2	Area A	200	365	24 hours
3	Area A	60	80	1 year
4	Area B	500	1 000	1 hour
5	Area B	150	200	24 hours
6	Area B	50	60	1 year
7	Area C	350	700	1 hour
8	Area C	125	200	24 hours
9	Area C	50	60	1 year

Schedule 2 Ambient air quality standards and ambient air quality limits —
total suspended particulates

Schedule 2

[Regulation 4(b)]

**Ambient air quality standards and ambient air quality
limits — total suspended particulates**

Item	Area	Standard ($\mu\text{g}/\text{m}^3$)	Limit ($\mu\text{g}/\text{m}^3$)	Averaging period
1	Policy Area	—	1 000	15 minutes
2	Area A	150	260	24 hours
3	Area B	90	260	24 hours
4	Area C	90	150	24 hours



Notes

- ¹ This reprint is a compilation as at 6 February 2004 of the *Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992</i>	17 Jul 1992 p. 3390-2	17 Jul 1992
<i>Environmental Protection (Kwinana) (Atmospheric Wastes) Amendment Regulations 1999</i>	21 Dec 1999 p. 6404	21 Dec 1999 (see r. 2 and <i>Gazette</i> 21 Dec 1999 p. 6395)
Reprint 1: The <i>Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992</i> as at 6 Feb 2004 (includes amendments listed above)		