



Western Australia

Environmental Protection Act 1986

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



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

## **Contents**

1.	Citation	1
2.	Interpretation	1
3.	Definition of “atmospheric waste”	2
4.	Ambient air quality standards and ambient air quality limits for atmospheric wastes	2
5.	Prescribed licence conditions for industrial premises in Policy Area	3

### **Schedule 1**

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

### **Schedule 2**

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

### **Notes**

Compilation table	6
-------------------	---

### **Defined terms**



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

**1. Citation**

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

**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: 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(2) 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
    - (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.

[Regulation 5 amended: Gazette 22 Aug 2014 p. 3034.]

**Schedule 1**    Ambient air quality standards and ambient air quality limits —  
sulphur dioxide

---

**Schedule 1**

[Regulation 4(a)]

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

<b>Item</b>	<b>Area</b>	<b>Standard (<math>\mu\text{g}/\text{m}^3</math>)</b>	<b>Limit (<math>\mu\text{g}/\text{m}^3</math>)</b>	<b>Averaging period</b>
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



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

---

**Schedule 2**

[Regulation 4(b)]

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

---

<b>Item</b>	<b>Area</b>	<b>Standard (<math>\mu\text{g}/\text{m}^3</math>)</b>	<b>Limit (<math>\mu\text{g}/\text{m}^3</math>)</b>	<b>Averaging period</b>
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

- <sup>1</sup> This is a compilation 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)
<b>Reprint 1: The Environmental Protection (Kwinana) (Atmospheric Wastes) Regulations 1992 as at 6 Feb 2004</b> (includes amendments listed above)		
<i>Environmental Protection (Kwinana) (Atmospheric Wastes) Amendment Regulations 2014</i>	22 Aug 2014 p. 3034	r. 1 and 2: 22 Aug 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Aug 2014 (see r. 2(b))

## **Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
$\mu\text{g}/\text{m}^3$ .....	2
equivalent aerodynamic diameter .....	2
specified .....	5(2)
the policy .....	2
total suspended particulates .....	2