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**ENVIRONMENT**

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EV301\*

Environmental Protection Act 1986

**Environmental Protection (Metal Coating)  
Regulations 2001**

Made by the Governor in Executive Council, on the recommendation of the Environmental Protection Authority.

**1. Citation**

These regulations may be cited as the *Environmental Protection (Metal Coating) Regulations 2001*.

**2. Interpretation**

In these regulations, unless the contrary intention appears —

“**bund**” means a wall constructed of brick, stone, concrete, or other material approved in writing by the Chief Executive Officer to form the perimeter of a compound;

“**compound**” means an area of land enclosed by a bund;

“**dust collection system**” means a device used to collect dust from a powder coating booth and the ducts used to transfer the dust to an air cleaning system;

“**liquid waste**” means waste liquid from a metal coating process;

“**metal coating**” means a method used to coat metal products including spray painting, powder coating, and enamelling;

“**metal coating treatment tank**” means a tank in which an etchant or any other pre-painting chemical is stored;

“**operator**” means a person carrying on metal coating;

“**over spray**” means paint, powder, or solvent that does not adhere to an object that is being coated or being cleaned for the purpose of being coated;

“**powder coating**” means the coating of metal by the application of a thermosetting powder by means of electrostatic attraction;

“**powder coating booth**” means a room or enclosure in which powder coating is done;

“**premises**”, in relation to an operator, means the premises at which the operator carries on metal coating;

“**solid waste**” means a waste from a metal coating process that is not a liquid waste;

**“spray painting booth”** means a room or enclosure in which spray painting is done.

**3. Application of regulations**

These regulations apply to metal coating premises described in Schedule 1 Part 2 category 81 of the *Environmental Protection Regulations 1987*.

**4. Spray painting booth to be used if possible**

An operator must carry on all spray painting in a spray painting booth unless such a booth cannot reasonably be used because of the size, shape, position, or location of the object being painted.

**5. Spray painting in the open**

An operator must not carry on spray painting other than in a spray painting booth unless it is carried on in such a manner that no paint over spray escapes from the premises at which the spray painting is carried on (or if there are no defined boundaries to the premises, no such paint over spray escapes onto any place to which the public has access).

**6. Spray painting booth**

An operator must ensure that a spray painting booth that he or she is using to carry on metal coating —

- (a) is designed, constructed, installed, and maintained in accordance with AS/NZS 4114.1 — *Spray painting booths*; and
- (b) is fitted with an efficient mechanical ventilation and dust extraction system which is operating so that —
  - (i) no visible paint over spray escapes from the spray painting booth;
  - (ii) all air from the spray painting booth passes through a ventilation and dust extraction system before being discharged into the environment; and
  - (iii) air discharged into the environment does not contain any substance that causes pollution.

**7. Powder coating booth to be used**

An operator must carry on all powder coating in a powder coating booth.

**8. Powder coating booth**

An operator must ensure that a powder coating booth that he or she is using to carry on metal coating —

- (a) is designed, constructed, installed, and maintained in accordance with AS/NZS 3754 — 1990 — *Safe application of powder coatings by electrostatic spraying*; and

- (b) is fitted with an efficient mechanical ventilation and dust collection system which is operating so that —
  - (i) no visible powder escapes from the powder coating booth;
  - (ii) all air from the powder coating booth passes through a ventilation and dust collection system before being discharged into the environment; and
  - (iii) air discharged into the environment from a powder coating booth does not contain any substance that causes pollution.

**9. No emission of visible dust or powder from premises**

An operator must ensure that no visible dust or powder escapes from the premises.

**10. Area in which chemical used or kept**

- (1) An operator must ensure that any area on premises in which a chemical that can cause pollution is used or kept is within a compound which —
  - (a) has walls that are impervious to acid;
  - (b) has a floor that is impervious to acid; and
  - (c) is capable of holding —
    - (i) 110% of the volume of the largest metal coating treatment tank or, if tanks are interconnected, 110% of the volume of the tanks in the interconnected system; and
    - (ii) not less than 25% of the total volume of the tanks within the compound.
- (2) An operator must ensure —
  - (a) that storm water does not enter the area on the premises where metal coating treatment tanks are located; and
  - (b) that the area on the premises where metal coating treatment tanks are located is designed to ensure that a liquid is not capable of overflowing or discharging from the area.

**11. Disposal of liquid waste**

- (1) An operator must ensure that no liquid waste escapes from the premises.
- (2) An operator must not discharge liquid waste into the environment.

**12. Disposal of solid waste**

An operator must ensure that solid waste is disposed of at a landfill site or waste treatment facility licensed under Part V of the Act.

**13. Offences and penalties**

A person who contravenes any of these regulations commits an offence.

Penalty: \$5 000.

**14. Amendment of the *Environmental Protection Regulations 1987***

Schedule 6 to the *Environmental Protection Regulations 1987*\* is amended after item 8 of the entry relating to the *Environmental Protection (Abattoirs) Regulations 2001* by inserting the following —

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*Environmental Protection (Metal Coating) Regulations 2001*

1.	regulation 4	250	500
2.	regulation 5	250	500
3.	regulation 6	250	500
4.	regulation 7	250	500
5.	regulation 8	250	500
6.	regulation 9	250	500
7.	regulation 10(1)	250	500
8.	regulation 10(2)	250	500
9.	regulation 11(1)	250	500
10.	regulation 11(2)	250	500
11.	regulation 12	250	500

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[\* Reprinted as at 9 February 2001.

*For amendments to 15 August 2001 see Gazette 30 March and 12 April 2001.]*

Recommended by the Environmental Protection Authority.

BERNARD BOWEN, Chairman.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

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