

WESTERN AUSTRALIA

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ENVIRONMENTAL PROTECTION ACT 1986

**ENVIRONMENTAL  
PROTECTION  
REGULATIONS  
1987**

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WESTERN AUSTRALIA

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WESTERN AUSTRALIA

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ENVIRONMENTAL PROTECTION ACT 1986

**ENVIRONMENTAL PROTECTION  
REGULATIONS 1987**

**Citation**

1. These regulations may be cited as the *Environmental Protection Regulations 1987*<sup>1</sup>.

**Commencement**

2. These regulations shall come into operation on the day on which section 3 of the *Environmental Protection Act 1986* comes into operation<sup>1</sup>.

**Prescribed particulars of draft policies**

- 2A. For the purposes of section 26 (d) of the Act —
  - (a) the places at which a draft policy will be available for public inspection are the premises of —
    - (i) the head office of the Environmental Protection Authority at 38 Mounts Bay Road (“Westralia Square”), Perth, Western Australia 6000;

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[(ii) *deleted*]

(iii) the Environmental Protection Authority at SGIO Building, Welcome Road, Karratha, Western Australia 6714;

(iv) the Environmental Protection Authority at 165, Gilmore Avenue, Kwinana, Western Australia 6167; and

(v) the Environmental Protection Authority at the Court House Building, 65 Wittenoom Street, Bunbury, Western Australia 6230;

and

(b) the period during which a draft policy will be available for public inspection is the period of 21 days commencing on the last day on which a notice is published under that section in respect of the draft policy.

*[Regulation 2A inserted in Gazette 5 May 1989 p.1379; amended in Gazette 24 January 1992 p.362.]*

### **Inspection of minutes**

**2B.** (1) In this regulation —

“**minute**” means a minute of proceedings of a meeting of the Authority.

(2) Subject to subregulation (4), a minute relating to a matter is to be made available for public inspection after the expiration of 6 months from the day on which the minute was made.

(3) The Authority may before the expiration of the period referred to in subregulation (2) determine that a particular minute —

(a) relates to a matter that has yet to be resolved by the Authority; or

- (b) contains information that the Authority considers to be confidential (whether for commercial reasons or otherwise),

and stamp the minute accordingly.

- (4) A minute that is the subject of a determination referred to —
  - (a) in subregulation (3) (a) is to be made available for public inspection after the expiration of 12 months from the day on which the minute was made; and
  - (b) in subregulation (3) (b) is to be made available for public inspection after the expiration of 5 years from the day on which the minute was made.

(5) Minutes are to be made available for public inspection during normal office hours at the following places (each of which is located at 141 St George's Terrace, Perth, Western Australia) —

- (a) the head office of the Authority; and
- (b) the public reading room of the Department.

*[Regulation 2B inserted in Gazette 5 May 1995 pp.1701-2.]*

### **Public records of proposals**

3. (1) The Authority shall in a public record of a proposal kept by it under section 39 (1) of the Act set out —

- (a) the title or number or other means of identification of the proposal; and
- (b) the name of, or the office or position held or acted in by, the proponent of the proposal.

(2) The Authority shall cause each public record kept by it under section 39 (1) of the Act to be made available for public inspection in the public reading room of the Authority situated at 38 Mounts Bay Road ("Westralia Square"), Perth, Western Australia 6000, between the hours of 8 am and 5 pm on any day which is not a Saturday, Sunday or public service holiday or a public holiday appointed or declared for the Perth area.

*[Regulation 3 amended in Gazette 24 January 1992 p.362.]*

**Prescribed premises**

4. There are prescribed for the purposes of Part V of the Act —
- (a) premises on which there is carried out any activity for commercial purposes that causes, or is likely to cause, or contribute to, pollution of any waters, air or land; and
  - (b) without limiting the generality of paragraph (a), premises specified in Schedule 1.

*[Regulation 4 amended in Gazette 10 June 1994 p.2374.]*

**Fees**

5. (1) For the purposes of section 54 (1) (b) of the Act, the prescribed fee is \$80.

(2) For the purposes of section 57 (1) (b) of the Act, the prescribed fee is —

- (a) in the case of premises referred to in regulation 4 (a) on which there is carried out any activity for commercial purposes that causes, or is likely to cause, or contribute to, pollution of any waters —
  - (i) the fee per annum specified in column 2 of Schedule 2 in relation to the maximum quantity of waste permitted to be discharged from those premises during any one day in accordance with any condition to which the relevant licence is subject and specified opposite to that fee in column 1 of that Schedule;
  - (ii) if the Chief Executive Officer determines that pollution of waters occurs only during or immediately following periods of rainfall and as a result of the discharge of waste onto land by irrigation or similar means, a fee of \$120 per annum; or
  - (iii) if neither subparagraph (i) nor subparagraph (ii) applies, a fee of \$120 per annum;

- (ab) in the case of premises referred to in regulation 4 (a) on which there is carried out any activity for commercial purposes that causes, or is likely to cause, or contribute to, pollution of any air or land, a fee of \$120 per annum; and
  - (b) in the case of premises referred to in regulation 4 (b), the fee per annum specified in column 2 of Schedule 3 in relation to the kind of premises specified opposite to that fee in column 1 of that Schedule.
- (3) If any premises at one location and occupied by the same person, as determined by the Chief Executive Officer, fall within more than one of the kinds of premises specified in column 1 of Schedule 3, there is payable in respect of the premises so falling only the fee appropriate to the kind of premises in respect of which the higher or highest fee is payable.

*[Regulation 5 amended in Gazettes 24 September 1993  
p.5253; 10 June 1994 p.2375.]*

#### **Prescribed periods for audible alarms**

6. For the purposes of section 99 (1) (a), the prescribed period is 30 minutes.

#### **Fees and procedures in respect of appeals**

7. (1) A person lodging an appeal under Part VII of the Act shall —
- (a) sign the appeal and address it to the Minister;
  - (b) set out in the appeal —
    - (i) in the case of an appeal lodged under section 100 of the Act, the title or number or other means of identification of the relevant proposal and the name of, or the office or position held or acted in by, the proponent of that proposal;



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- (ii) in the case of an appeal lodged under section 102 of the Act in respect of a works approval or licence, the name of the applicant or holder of the works approval or licence, as the case requires, and the location of the prescribed premises to which that application relates;
- (iii) in the case of an appeal lodged under section 103 of the Act, the name of the person on whom the relevant pollution abatement notice, or notice under section 65 (4), was served and the location of the premises to which that pollution abatement notice or notice relates;
- (iv) in the case of an appeal lodged under section 104 of the Act, the name of the person on whom the relevant notice was served under section 96 (1) or 97 (1) of the Act and a description of the vehicle, vessel or equipment to which that notice relates;
- (v) the substance of the decision or matter the subject of the appeal; and
- (vi) the name and address of the appellant for the service of notices;

and

- (c) lodge with the Minister —
  - (i) in the case of an appeal lodged under section 100, a fee of \$10;
  - (ii) in the case of an appeal lodged under section 102, a fee of \$50; or
  - (iii) in the case of an appeal lodged under section 103 or 104, a fee of \$25.

(2) The Minister may reduce, waive or refund, in whole or in part, any fee referred to in subregulation (1).

(3) A person who has lodged an appeal under Part VII of the Act may withdraw the appeal after having given the Minister not less than 7 days' notice in writing of his intention to do so.

**Publication of details of decisions on appeal**

8. (1) The Minister shall cause the details set out in subregulation (2) of his decisions on appeals lodged under Part VII of the Act to be published by causing those details to be made available for public inspection in the public reading room of the Authority situated at 38 Mounts Bay Road ("Westralia Square"), Perth, Western Australia 6000, between the hours of 8 am and 5 pm on any day which is not a Saturday, Sunday or public service holiday or a public holiday appointed or declared for the Perth area.

(2) The details referred to in subregulation (1) are —

- (a) in the case of an appeal lodged under section 100, the title or number or other means of identification of the relevant proposal and the name, or the office or position held or acted in by, the proponent of that proposal;
- (b) in the case of an appeal lodged under section 102 of the Act in respect of a works approval or licence, the name of the applicant or holder of the works approval or licence, as the case required, and the location of the prescribed premises to which that application relates;
- (c) in the case of an appeal lodged under section 103 of the Act, the name of the person on whom the relevant pollution abatement notice, or notice under section 65 (4), is served and the location of the premises to which that pollution abatement notice or notice relates;
- (d) in the case of an appeal lodged under section 104 of the Act, the name of the person on whom the relevant notice was served under section 96 (1) or 97 (1) of the Act and a description of the vehicle, vessel or equipment to which that notice relates;
- (e) if the name of the appellant is not a detail referred to in paragraph (a), (b), (c) or (d), that name;
- (f) a summary of the nature and grounds of the relevant appeal;

- (g) the decision of the Minister on the relevant appeal and the date of that decision.

*[Regulation 8 amended in Gazette 24 January 1992 p.362.]*

**Persons to be notified of decisions on appeal**

9. The Minister shall cause to be notified in writing of his decision on an appeal lodged under Part VII of the Act —

- (a) the appellant;
- (b) any relevant decision-making authority;
- (c) the Authority;
- (d) the Chief Executive Officer;
- (e) in the case of an appeal lodged under section 100 of the Act, the proponent of the relevant proposal;
- (f) in the case of an appeal lodged under section 102 of the Act in respect of a works approval or licence, the applicant for or the holder of the works approval or licence, as the case requires;
- (g) in the case of an appeal lodged under section 103 of the Act, the person on whom the relevant pollution abatement notice, or notice under section 65 (4), was served; and
- (h) in the case of an appeal lodged under section 104, the person on whom the relevant notice was served under section 96 (1) or 97 (1) of the Act.

*[10. Repealed in Gazette 31 December 1993 p.6878.]*

**Interpretation**

11. (1) In this regulation and regulations 12, 13, 14 and 15 —

“**licensed premises**” means a place that is prescribed premises under the Act, and in relation to which the licence is in force under the Act;

“**storage**” includes collection and deposit;

“**tyre**” means a tyre made whether wholly or partly of natural or synthetic rubber or similar material.

(2) For the purposes of these regulations, 2 cubic metres of shredded, broken or pieces of used tyres shall be deemed to equal 100 used tyres and any multiple of 2 cubic metres of shredded, broken or pieces of used tyres shall be deemed to be equal to the corresponding multiple of 100 used tyres and where an intermediate quantity of shredded, broken or pieces of used tyres occurs the equivalent number of used tyres shall be calculated by interpolation.

(3) For the purposes of these regulations the size of a tyre shall be disregarded when computing the number of tyres in question.

*[Regulation 11 inserted in Gazette 30 August 1991 pp.4554-5.]*

#### **Disposal and storage of tyres**

12. For the purposes of the definition of “pollution” in section 3 of the Act —

- (a) the disposal of tyres otherwise than in accordance with regulation 14;
- (b) the storage of used tyres —
  - (i) in any number exceeding 500 on a place used for or in connection with a tyre fitting business;
  - (ii) in any number exceeding 100 on any other place,

is a prescribed kind of pollution.

*[Regulation 12 inserted in Gazette 30 August 1991 p.4555.]*

#### **Transport of used tyres prohibited**

13. (1) A person shall not —

- (a) for gain or other reward; or

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- (b) in the course of any business carried on by that person,  
transport used tyres —
- (c) for the purpose of storage except to a place that is licensed premises for that purpose; or
- (d) for the purpose of disposal except to a place that is established for that purpose.

Penalty: \$200.

(2) For the purposes of subregulation (1) a person is deemed to transport used tyres in the course of business whether the transport of used tyres is the principal business carried on by that person or is only incidental to any other business carried on by that person.

*[Regulation 13 inserted in Gazette 30 August 1991 p.4555.]*

#### **Standards for the disposal of tyres**

14. Tyres may be disposed of —

- (a) by incineration if —
  - (i) the emissions from the chimney of that incinerator do not exceed the following levels —

particulate matter	50 mg/m <sup>3</sup>
carbon monoxide	1 g/m <sup>3</sup>
zinc	3 mg/m <sup>3</sup>
cadmium	3 mg/m <sup>3</sup>
aluminium	3 mg/m <sup>3</sup>
dioxins	5 parts per t h o u s a n d m i l l i o n

or such other levels as are approved by the Chief Executive Officer; and

(ii) smoke discharged does not exceed a shade of 1 when compared with the Australian Miniature Smoke Chart (AS 3543 1989);

or

(b) at a waste disposal site licensed under the *Health Act 1911* or any other site approved by the Chief Executive Officer, by burial under a final soil cover of not less than 500 mm —

(i) in batches separated from each other by at least 100 mm of soil and each consisting of not more than 40 cubic metres of tyres reduced to pieces; or

(ii) in batches separated from each other by at least 100 mm of soil and each consisting of not more than 1 000 whole tyres; or

(iii) in the case of tyres in any volume or number in a dump existing at the commencement of the *Environmental Protection Amendment Regulations (No. 3) 1992*<sup>1</sup>, at the location of that dump,

in accordance with such conditions as are imposed by the Chief Executive Officer in respect of that burial for the purpose of ensuring that drainage, safety, soil erosion and soil stability at, and in the vicinity of, the site of that burial are adequately controlled; or

(c) any other method of disposal approved by the Minister on the advice of the Chief Executive Officer.

[*Regulation 14 inserted in Gazette 30 August 1991 p.4555; amended in Gazette 4 December 1992 p.5889.*]

#### **Standards for the storage of used tyres**

15. Used tyres shall not be stored on licensed premises otherwise than in accordance with the conditions of the licence issued in relation to those premises.

[*Regulation 15 inserted in Gazette 30 August 1991 p.4555.*]

**Control of organotin anti-fouling paint**

16. (1) On and from 1 November 1991, a person shall not apply organotin anti-fouling paint to, or cause or permit such paint to be applied to —

- (a) a piling, pier, buoy, mooring or other structure in an enclosed water body or a semi-enclosed water body;
- (b) a vessel that is 25 metres or less in length; or
- (c) a vessel that is more than 25 metres in length, unless the paint has been formulated so that in respect of each square centimetre of surface to which it is applied —
  - (i) not more than 210 micrograms of organotin are released during the first 14 days after the application of the paint; and
  - (ii) not more than 5 micrograms of organotin are released during each subsequent day.

(2) On and from 1 September 1991, a person shall not sell organotin anti-fouling paint that is formulated other than as described in subregulation (1) (c).

(3) On and from 1 September 1991, a person who has a container containing organotin anti-fouling paint shall ensure that it has a clearly readable label with the words "NOT TO BE APPLIED TO VESSELS 25 METRES OR LESS IN LENGTH".

(4) In this regulation —

**"enclosed water body"** means a body of water, such as a lake, not connected to the sea;

**"length"** means the hull length of a ship, boat or hovercraft or the overall length of any other vessel;

**"Organotin anti-fouling paint"** means a coating, paint or treatment that contains an organic derivative of tin;

**"semi-enclosed water body"** means a partially enclosed coastal water, such as an estuary, river, port, harbour, bay, marina or yacht club;

“vessel” means any ship, boat, hovercraft or hulk and any vehicle, whether floating or submersible and whether self-propelled or not, that is capable of being used in or on water.

[Regulation 16 inserted in Gazette 30 August 1991 pp.4553-4.]

### **Lead content of petrol**

17. (1) In this regulation “petrol” does not include aviation fuel.

(2) This regulation applies to the supply of petrol other than in the course of a retail sale.

(3) A person who supplies petrol for the period commencing 1 January 1994 and ending 30 December 1994 commits an offence if —

- (a) the lead content of the petrol exceeds 0.45 grams per litre;  
or
- (b) the average lead content of all petrol supplied by that person during that period exceeds 0.40 grams per litre.

(3a) A person who supplies petrol for the period commencing 31 December 1994 and ending 30 December 1995 commits an offence if —

- (a) the lead content of the petrol exceeds 0.35 grams per litre;  
or
- (b) the average lead content of all petrol supplied by that person during that period exceeds 0.30 grams per litre.

(3b) A person who supplies petrol on or after 31 December 1995 commits an offence if —

- (a) the lead content of the petrol exceeds 0.25 grams per litre;  
or
- (b) the average lead content of all petrol supplied by that person during 1996, or each following calendar year in which that petrol is supplied, exceeds 0.20 grams per litre.



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(4) The penalty for an offence against subregulation (3), (3a) or (3b) is \$200.

(5) In ascertaining the lead content of petrol for the purposes of this regulation, lead that is present as a constituent of a compound shall be included and measurements are to be made at standard conditions.

*[Regulation 17 inserted in Gazette 10 April 1992 pp.1588-9; amended in Gazettes 13 July 1993 p.3705; 31 December 1993 pp.6878-9.]*

**Schedule 1**

[Regulation 4 (b)]

**SPECIAL PRESCRIBED PREMISES**

1. Any premises —
  - (a) being used for —
    - (i) abrasive blasting works, being premises on which metal or other material is cleaned or abraded by blasting with any abrasive blasting material;
    - (ii) asphalt works, being premises in which asphalt is mixed or prepared for use at places or premises other than at those works;
    - (iii) bitumen works, being premises in which bitumen is mixed or prepared for use at places or premises other than at those works;
    - (iv) cement product manufacturing works, being premises in which cement or concrete is mixed, prepared, or treated by way of trade or business in connection with the manufacture on those premises of articles in which cement forms a principal ingredient, including concrete slabs, curbing, pipes and drainage fittings, bowls and ornaments, and castings;
    - (v) cement works, being premises in which argillaceous and calcareous materials are used in the production of cement clinker and premises in which cement clinker is ground and lime is manufactured;
    - (vi) ceramic works, being premises in which any product, such as bricks, tiles, pipes, pottery goods, refractories or glass are manufactured in furnaces or kilns fired by any fuel;
    - (vii) chemical works (class 1) being premises in which sulphuric acid, chemical fertilizers, soap, sodium

silicate, or calcium compounds other than lime are manufactured;

- (viii) chemical works (class 2), being premises in which any chemical or chemical product not included, or referred to, in the definition of the premises or class of premises of chemical works (class 1) is manufactured, blended, mixed or repackaged, and in which the nature or natures of the processes carried on, or the materials used is or are likely to cause air pollution;
- (ix) coke works, being premises in which coke is produced and quenched, cut, crushed and graded;
- (x) concrete batching plants, being premises where concrete is made or batched and loaded for transport to another site;
- (xi) ferrous and non-ferrous metal works, being premises in which metal melting processes for casting or metal coating are carried out;
- (xii) fibreglass works, being premises in which fibreglass reinforced plastics are prepared or manufactured and in which in excess of 500 kilograms per annum of plastic resin is used;
- (xiii) gas works, being premises in which coal, coke, oil or their mixtures or derivatives are handled or prepared for carbonization or gasification and in which such materials are subsequently carbonized or converted to combustible gas;
- (xiv) grinding and milling works, being premises in which rock, ores, minerals or chemicals are processed by grinding, milling or separating into different sizes by sieving, air elutriation, or in any other manner;
- (xv) loading or unloading vessels, at which vessels are loaded or unloaded by an open materials handling system, but not where the system operated is pneumatic or a screw conveyor and is enclosed;

- (xvi) oil refineries, being premises in which crude shale oil or crude petroleum is refined;
  - (xvii) primary metallurgical works, being premises in which ores are smelted to produce metal;
  - (xviii) rendering works, being premises in which animal matter is rendered or reduced for use as a fertilizer, stock food, or any other purpose;
  - (xix) scrap metal reclaiming works, being premises in which scrap is treated by heat for the recovery of metal, irrespective of whether that is the principal activity carried on on any particular premises, and including premises where metal is recovered from scrap cable by burning the insulation on that cable;
  - (xx) screening works, being premises in which sands, rock, ores, minerals or chemicals are screened or sieved;
  - (xxi) sewage or waste water treatment plants, being premises in which sewage or waste waters are treated for the removal of solids or for the drying or incineration of such solids; or;
  - (xxii) stockyards, being premises associated with abattoirs, saleyards or quays in which live animals are held or assembled pending their slaughter, sale or transshipment;
  - [(xxiii) *deleted*]
  - (xxiv) sites used or proposed to be used as used tyre storage sites and on which there is or is likely to be pollution of the kind prescribed by regulation 12 (b);
- (b) on which there is erected any boiler or boilers consuming or capable of consuming either alone or in the aggregate more than 500 kilograms per hour of combustible material;
  - (c) on which any fuel burning equipment or industrial plant is operated by The Western Australian Government Railways

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Commission constituted under the *Government Railways Act 1904*; or

- (d) on which there is a biomedical waste incinerator, in which —
- (i) infectious or potentially infectious waste produced by health care establishments, or by pathology, dental, or veterinary practices, or by laboratories, is incinerated;
  - (ii) quarantine waste is incinerated; or
  - (iii) cytotoxic waste is destroyed,

but not including premises on which there are only facilities used exclusively for human or animal cremation.

[2. *deleted*]

[*Schedule 1 amended in Gazettes 18 August 1989 p.2752; 30 August 1991 p.4555; 31 December 1993 p.6878; 10 June 1994 p.2375.*]

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**Schedule 2**

[regulation 5 (2) (a)]

**LICENCE FEES FOR PREMISES BASED ON DISCHARGE  
OF WASTE**

Column 1	Column 2
<u>Maximum quantity of waste permitted to be discharged from premises</u>	<u>Annual fee</u>
Not more than 20 cubic metres per day	\$120
More than 20 cubic metres, but not more than 200 cubic metres, per day	\$230
More than 200 cubic metres, but not more than 2 000 cubic metres, per day	\$680
More than 2 000 cubic metres, but not more than 10 000 cubic metres, per day	\$2 680
More than 10 000 cubic metres per day	\$5 600

[Schedule 2 inserted in Gazette 24 September 1993 p.5253.]

## Schedule 3

[regulation 5 (2) (b) and (3)]

## LICENCE FEES FOR SPECIFIC PRESCRIBED PREMISES

Column 1	Column 2
<u>Premises</u>	<u>\$</u> <u>(per annum)</u>
1. PREMISES BEING USED FOR —	
(a) Abrasive Blasting Works —	
(i) in which all blasting is carried out in an enclosed chamber from which particulate emissions from the exit gases conform to the standard of concentration prescribed in the <i>Clean Air (Determination of Air Impurities in Gases Discharged to the Atmosphere) Regulations 1983</i> . . . . .	80
(ii) all other abrasive blasting works . . . . .	320
(b) Asphalt and Bitumen Works —	
(i) processing not more than 10 000 tonnes of material per year . . . . .	80
(ii) processing more than 10 000 tonnes but not more than 100 000 tonnes of material per year . . . . .	400
(iii) processing more than 100 000 tonnes but not more than 1 000 000 tonnes of material per year . . . . .	800
(iv) processing more than 1 000 000 tonnes of material per year . . . . .	1 600

(c) Cement and Lime Works —		
(i)	producing lime or grinding cement clinker not more than 200 000 tonnes of material per year . . . . .	1 600
(ii)	producing more than 200 000 tonnes of lime or grinding more than 200 000 tonnes of cement clinker per year . . . . .	3 200
(d) Cement Product Manufacturing Works —		
(i)	processing more than 500 tonnes but not more than 5 000 tonnes of concrete per year . . . . .	80
(ii)	processing more than 5 000 tonnes but not more than 50 000 tonnes of concrete per year . . . . .	400
(iii)	processing more than 50 000 tonnes but not more than 500 000 tonnes of concrete per year . . . . .	800
(iv)	processing more than 500 000 tonnes of concrete per year . . . . .	1 600
(e) Ceramic Works (excluding glass works) —		
(i)	producing not more than 5 000 tonnes of products per year . . . . .	80
(ii)	producing more than 5 000 tonnes but not more than 50 000 tonnes of products per year . . . . .	400
(iii)	producing more than 50 000 tonnes but not more than 500 000 tonnes of products per year . . . . .	800
(iv)	producing more than 500 000 tonnes of products per year . . . . .	1 600



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(f)	Chemical Manufacturing Works —	
(i)	excluding plaster (gypsum) works and alumina or bauxite refineries —	
	(A) producing not more than 100 tonnes of total chemical products per year	80
	(B) producing more than 100 tonnes but not more than 1 000 tonnes of total chemical products per year . . . . .	400
	(C) producing more than 1 000 tonnes but not more than 10 000 tonnes of total chemical products per year . . . . .	800
	(D) producing more than 10 000 tonnes but not more than 100 000 tonnes of total chemical products per year . . . . .	1 600
	(E) producing more than 100 000 tonnes but not more than 500 000 tonnes of total chemical products per year . . . . .	3 200
	(F) producing more than 500 000 tonnes of total chemical products per year	4 800
(ii)	used for the treatment or processing of plaster (gypsum) . . . . .	400
(iii)	used for the treatment or processing of alumina or bauxite —	
	(A) processing not more than 1 000 000 tonnes of material per year . . .	1 600
	(B) processing more than 1 000 000 tonnes of material per year . . . . .	3 200
(g)	Concrete Batching Plants —	
(i)	processing more than 500 tonnes (230 cubic metres) but not more than 5 000 tonnes (2 300 cubic metres) of concrete or concrete products per year . . .	80

(ii)	processing more than 5 000 tonnes (2 300 cubic metres) but not more than 50 000 tonnes (23 000 cubic metres) of concrete or concrete products per year . . .	400
(iii)	processing more than 50 000 tonnes (23 000 cubic metres) but not more than 500 000 tonnes (230 000 cubic metres) of concrete or concrete products per year . . .	800
(iv)	processing more than 500 000 tonnes (230 000 cubic metres) of concrete or concrete products per year . . . . .	1 600
(h)	Fibreglass Works —	
(i)	using more than 500 kilograms but not more than 5 tonnes of polyester resin per year . . . . .	80
(ii)	using more than 5 tonnes but not more than 250 tonnes of polyester resin per year . . . . .	160
(iii)	using more than 250 tonnes of polyester resin per year . . . . .	320
(i)	Gas Works based on coal, oil or hydrocarbon derivatives —	
(i)	producing not more than 50 000 gigajoules per year . . . . .	400
(ii)	producing more than 50 000 gigajoules but not more than 1 000 000 gigajoules per year . . . . .	800
(iii)	producing more than 1 000 000 gigajoules but not more than 5 000 000 gigajoules per year . . . . .	1 600
(iv)	producing more than 5 000 000 gigajoules per year . . . . .	3 200

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(j)	Glass Works —	
	(i) producing not more than 1 000 tonnes of products per year . . . . .	80
	(ii) producing more than 1 000 tonnes but not more than 10 000 tonnes of products per year . . . . .	400
	(iii) producing more than 10 000 tonnes but not more than 100 000 tonnes of products per year . . . . .	800
	(iv) producing more than 100 000 tonnes of products per year . . . . .	1 600
(k)	Grinding and Milling Works —	
	(i) producing more than 200 tonnes but not more than 5 000 tonnes of material per year . . . . .	80
	(ii) producing more than 5 000 tonnes but not more than 50 000 tonnes of material per year . . . . .	400
	(iii) producing more than 50 000 tonnes but not more than 500 000 tonnes of material per year . . . . .	800
	(iv) producing more than 500 000 tonnes but not more than 5 000 000 tonnes of material per year . . . . .	1 600
	(v) producing more than 5 000 000 tonnes of material per year . . . . .	3 200
(l)	Loading or Unloading Vessels . . . . .	320
(m)	Primary Metallurgical Works smelting or converting ores to metals of any kind —	
	(i) producing not more than 10 000 tonnes of metal per year . . . . .	800

	(ii)	producing more than 10 000 tonnes but not more than 200 000 tonnes of metal per year . . . . .	1 600
	(iii)	producing more than 200 000 tonnes of metal per year . . . . .	3 200
(n)	(i)	Oil Refinery . . . . .	3 200
	(ii)	Waste Oil Reclaiming Refinery . . . . .	400
(o)		Scrap Metal Reclaiming Works —	
	(i)	reclaiming not more than 200 tonnes of metal per year . . . . .	80
	(ii)	reclaiming more than 200 tonnes but not more than 2 000 tonnes of metal per year	400
	(iii)	reclaiming more than 2 000 tonnes but not more than 10 000 tonnes of metal per year . . . . .	800
	(iv)	reclaiming more than 10 000 tonnes of metal per year . . . . .	1 600
(p)		Stockyards . . . . .	80
(q)		Waste Water Treatment Plants in which the volume treated is —	
	(i)	more than 20 m <sup>3</sup> but not more than 200 m <sup>3</sup> per day . . . . .	80
	(ii)	more than 200 m <sup>3</sup> but not more than 2 000 m <sup>3</sup> per day . . . . .	160
	(iii)	more than 2 000 m <sup>3</sup> but not more than 10 000 m <sup>3</sup> per day . . . . .	240
	(iv)	more than 10 000 m <sup>3</sup> per day . . . . .	400

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(r)	Works used for the Rendering or Reduction of Animal Matter —	
(i)	producing not more than 100 tonnes of products per week . . . . .	160
(ii)	producing more than 100 tonnes of products per week . . . . .	400
[(s)	<i>deleted</i> ]	
(t)	Sites used or proposed to be used as tyre storage sites and on which there is or likely to be pollution of the kind prescribed by regulation 12 (b) —	
(i)	where the number stored does not exceed 10 000 . . . . .	200
(ii)	where the number stored exceeds 10 000 but does not exceed 100 000 . . . . .	500
(iii)	where the number stored exceeds 100 000 but does not exceed 500 000 . . . . .	1 000
(iv)	where the number stored exceeds 500 000 but does not exceed 1 000 000 . . . . .	2 000
(v)	where the number stored exceeds 1 000 000 but does not exceed 5 000 000 . . . . .	3 000
(vi)	where the number stored exceeds 5 000 000 . . . . .	5 000
2. PREMISES ON WHICH THERE IS ERECTED ANY —		
(a)	Boiler or boilers consuming or capable of consuming either alone or in the aggregate more than 500 kilograms of combustible material per hour —	
(i)	consuming more than 500 kilograms but not more than 1 tonne of combustible material per hour . . . . .	80

(ii)	consuming more than 1 tonne but not more than 10 tonnes of combustible material per hour . . . . .	160
(iii)	consuming more than 10 tonnes but not more than 50 tonnes of combustible material per hour . . . . .	400
(iv)	consuming more than 50 tonnes but not more than 100 tonnes of combustible material per hour . . . . .	800
(v)	consuming more than 100 tonnes of combustible material per hour . . . . .	1 600
(b)	Coke Works —	
(i)	producing not more than 10 000 tonnes of coke per year . . . . .	400
(ii)	producing more than 10 000 tonnes but not more than 100 000 tonnes of coke per year . . . . .	800
(iii)	producing more than 100 000 tonnes of coke per year . . . . .	1 600
(c)	Furnace used for the melting of non-ferrous metals —	
(i)	melting not more than 200 tonnes of metal per year . . . . .	80
(ii)	melting more than 200 tonnes but not more than 2 000 tonnes of metal per year . . . . .	400
(iii)	melting more than 2 000 tonnes but not more than 10 000 tonnes of metal per year . . . . .	800
(iv)	melting more than 10 000 tonnes of metal per year . . . . .	1 600

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(d) Furnace or cupola used for the smelting of alloys of iron or steel —	
(i) melting not more than 1 000 tonnes of metal per year . . . . .	80
(ii) melting more than 1 000 tonnes but not more than 10 000 tonnes of metal per year . . . . .	400
(iii) melting more than 10 000 tonnes but not more than 100 000 tonnes of metal per year . . . . .	800
(iv) melting more than 100 000 tonnes of metal per year . . . . .	1 600

3. PREMISES ON WHICH FUEL BURNING EQUIPMENT OR INDUSTRIAL PLANT IS OPERATED BY THE WESTERN AUSTRALIAN GOVERNMENT RAILWAYS COMMISSION CONSTITUTED UNDER THE *GOVERNMENT RAILWAYS ACT 1904* —

In the aggregate in respect to all premises . . . . 3 200

4. PREMISES ON WHICH THERE ARE BIOMEDICAL WASTE INCINERATORS —

processing not more than 100 tonnes per annum . . . . .	80
processing more than 100 tonnes per annum but not more than 500 tonnes per annum . . . . .	160
processing more than 500 tonnes per annum but not more than 2 000 tonnes per annum . . .	320
processing more than 2 000 tonnes per annum .	800

[Schedule 3 inserted in Gazette 24 September 1993 pp.5254-8; amended in Gazettes 19 November 1993 p.6260; 10 June 1994 pp.2375-6.]

[**Schedule 4.** *Repealed in Gazette 31 December 1993*  
*p.6878.*]

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### NOTES

<sup>1</sup> This reprint is a compilation as at 4 December 1995 of the *Environmental Protection Regulations 1987* and includes the amendments effected by the regulations referred to in the following Table.

**Table of Regulations**

Regulation	Gazettal	Commencement	Miscellaneous
<i>Environmental Protection Regulations 1987</i>	20 February 1987 pp.444-9	20 February 1987	
<i>Environmental Protection Amendment Regulations 1988</i>	14 June 1988 pp.1945-6	1 August 1988 (see regulation 2)	Amended by the <i>Environmental Protection Amendment Regulations (No. 2) 1988</i> published in <i>Gazette</i> 24 June 1988 p.2006
<i>Environmental Protection Amendment Regulations 1989</i>	5 May 1989 p.1379	5 May 1989	
<i>Environmental Protection Amendment Regulations (No. 2) 1989</i>	18 August 1989 p.2752	17 October 1989 (see regulation 2)	
<i>Environmental Protection Amendment Regulations (No. 2) 1991</i>	30 August 1991 pp.4553-4	30 August 1991	
<i>Environmental Protection Amendment Regulations (No. 3) 1991</i>	30 August 1991 pp.4554-6	30 August 1991	
<i>Environmental Protection Amendment Regulations 1992</i>	24 January 1992 p.362	28 January 1992 (see regulation 2)	

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Regulation	Gazettal	Commencement	Miscellaneous
<i>Environmental Protection Amendment Regulations (No. 2) 1992</i>	10 April 1992 pp.1588-9	10 April 1992	
<i>Environmental Protection Amendment Regulations (No. 3) 1992</i>	4 December 1992 p.5889	4 December 1992	
<i>Environmental Protection Amendment Regulations 1993</i>	13 July 1993 p.3705	13 July 1993	
<i>Environmental Protection Amendment Regulations (No. 2) 1993</i>	24 September 1993 pp.5252-8	24 September 1993	
<i>Environmental Protection Amendment Regulations (No. 3) 1993</i>	19 November 1993 pp.6259-60	19 November 1993	
<i>Environmental Protection Amendment Regulations (No. 4) 1993</i>	31 December 1993 p.6878	31 December 1993	
<i>Environmental Protection Amendment Regulations (No. 5) 1993</i>	31 December 1993 pp.6878-9	1 January 1994	
<i>Environmental Protection Amendment Regulations 1994</i>	10 June 1994 pp.2374-6	10 June 1994	
<i>Environmental Protection Amendment Regulations 1995</i>	5 May 1995 pp.1701-2	5 May 1995	

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