

ENVIRONMENTAL PROTECTION

EP301

ENVIRONMENTAL PROTECTION ACT 1986**ENVIRONMENTAL PROTECTION AMENDMENT REGULATIONS
(No. 3) 1996**

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

Citation

1. These regulations may be cited as the *Environmental Protection Amendment Regulations (No. 3) 1996*.

Commencement

2. These regulations come into operation on 1 October 1996.

Principal regulations

3. In these regulations the *Environmental Protection Regulations 1987** are referred to as the principal regulations.

[* Reprinted as at 4 December 1995.]

Part headings inserted

4. The principal regulations are amended —
- (a) by inserting before regulation 1 the following Part heading —
“ **PART 1 — PRELIMINARY** ”;
 - (b) by inserting after regulation 2 the following Part heading —
“ **PART 2 — ADMINISTRATIVE MATTERS** ”;
 - (c) by inserting after regulation 3 the following Part heading —
“ **PART 3 — CONTROL OF POLLUTION GENERALLY** ”;
 - (d) by inserting before regulation 6 the following Part heading —
“ **PART 4 — AUDIBLE ALARMS** ”;
 - (e) by inserting after regulation 6 the following Part heading —
“ **PART 5 — APPEALS** ”;
 - (f) by inserting after regulation 9 the following Part heading —
“ **PART 6 — TYRES** ”;
 - (g) by inserting after regulation 15 the following Part heading —
“ **PART 7 — ANTI-FOULING PAINT** ”; and
 - (h) by inserting after regulation 16 the following Part heading —
“ **PART 8 — PETROL** ”.

Regulations 4 and 5 repealed and regulations substituted

5. Regulations 4 and 5 of the principal regulations are repealed and the following regulations are substituted —

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Interpretation

4. (1) In this Part, unless the contrary intention appears —

“**category**” means a category of premises specified in Schedule 1;

“**licence**” means a licence under Part V of the Act.

(2) A reference in this Part to a kind of waste is a reference to both the type of waste and the nature of its discharge into the environment.

(3) A reference in this Part or a Schedule to a category followed by a designation is a reference to the category so designated in the first column of Schedule 1.

(4) A reference in Part 3 of Schedule 4 to the Swan Coastal Plain is a reference to the area defined in Schedule 1 to the *Environmental Protection (Swan Coastal Plain Lakes) Policy Approval Order 1992*.

(5) In this Part (other than regulation 5G) and in Schedules 3 and 4 fee amounts are expressed in units or fractions of a unit, one unit being equivalent to \$12.50.

Prescribed premises

5. The premises specified in Schedule 1 are prescribed premises for the purposes of Part V of the Act.

Occupier of certain prescribed premises may apply for registration

5A. (1) An occupier of premises specified in Part 2 of Schedule 1 may apply for registration of those premises under regulation 5B.

(2) An occupier who so applies does not commit an offence under section 56 of the Act in respect of those premises while the application is pending.

(3) If premises specified in Part 2 of Schedule 1 are registered under regulation 5B, section 56 of the Act does not apply to the occupier of those premises.

Registration of premises

5B. (1) An occupier of premises specified in Schedule 2 shall not operate the premises for the purposes described in that Schedule unless the premises are registered under this regulation.

Penalty: \$200.

(2) An application for registration is to be —

- (a) in a form approved by the Chief Executive Officer;
- (b) accompanied by a plan showing the boundaries of the land on which the premises are situated and the layout of the premises; and
- (c) accompanied by a fee of 24 units.

(3) The Chief Executive Officer is to grant an application made under subregulation (2) and enter details of the registered premises in a register kept for that purpose.

(4) A person who becomes the occupier of registered premises and who does not —

- (a) notify the Chief Executive Officer of that fact within 30 days of becoming the occupier; and
- (b) include with the notification a recording fee of 2 units,

commits an offence.

Penalty: \$200.

(5) On receipt of a notification and fee under subregulation (4), the Chief Executive Officer is to make the necessary alterations to the register.

(6) A person who immediately before the commencement of the *Environmental Protection Amendment Regulations (No. 3) 1996* was the holder of a licence in respect of premises to which subregulation (1) applies is not required to apply for registration of those premises until the expiry of that licence.

Works approval fee

5C. (1) The fee prescribed for the purposes of section 54 (1) (b) of the Act is the appropriate fee specified in Schedule 3 determined on the basis of the cost of the works that are the subject of the application.

(2) In determining the cost of works for the purposes of this regulation, no account is to be taken of —

- (a) the cost of land;
- (b) the cost of buildings to be used for purposes unrelated to the purposes in respect of which the premises are, or will become, prescribed premises; or
- (c) consultancy fees paid or to be paid in relation to those works.

Licence fee

5D. (1) Subject to regulation 5G, the fee prescribed for the purposes of section 57 (1) (b) of the Act comprises —

- (a) the amount specified in the third column of Part 1 of Schedule 4 corresponding to the relevant category, and, where applicable, the relevant production or design capacity, of the premises specified in the first and second columns of that Part;
- (b) in respect of premises within category 5, 6, 7, 8, 9, 12, 44, 46, 53, 70 or 80, where the operation of the premises involves the discharge of waste consisting of tailings or flyash, the amount specified in the second column of Part 2 of Schedule 4 corresponding to the relevant quantity of such waste specified in the first column of that Part that is permitted to be discharged from the premises; and
- (c) the appropriate amount under Part 3 of Schedule 4, as determined under regulation 5E, for each kind of waste to be discharged from the premises.

(2) If any premises occupied by the same person, as determined by the Chief Executive Officer, fall within more than one category specified in the first column of Part 1 of Schedule 4, the amount payable in respect of those premises under subregulation (1) (a) is that appropriate to the category in respect of which the higher or highest amount is payable.

Determination of amount under Part 3 of Schedule 4

5E. (1) Subject to this regulation, the amount payable under Part 3 of Schedule 4 in respect of a particular kind of waste is to be determined on the basis of the quantity of such waste that is permitted to be discharged from the premises during the period to which the application relates averaged over that period.

(2) If, in respect of an application for a licence, the Chief Executive Officer is satisfied that the quantity of a particular kind of waste discharged from the premises in the year immediately preceding the period to which the application relates has been accurately measured, the amount payable under Part 3 of Schedule 4 in respect of such waste may, at the discretion of the Chief Executive Officer, be determined on the basis of the quantity so measured averaged over a period of one year.

(3) If, in respect of an application for a licence, the Chief Executive Officer is satisfied that —

- (a) the applicant has put in place appropriate procedures for the accurate measurement of the quantity of a particular kind of waste to be discharged from the premises; and
- (b) the quantity of such waste to be discharged from the premises during the period to which the application relates has been accurately calculated,

the amount payable under Part 3 of Schedule 4 in respect of such waste may, at the discretion of the Chief Executive Officer, be determined on the basis of the quantity so calculated.

(4) If an approved policy specifies standards for the discharge of a particular kind of waste and those standards apply to premises which are the subject of an application for a licence, the amount payable under Part 3 of Schedule 4 in respect of such waste, as determined under subregulation (1), (2) or (3), is increased by 50% for those premises.

Amount payable for harmless discharge onto land

5F. (1) Despite regulation 5D (1) (c), an amount of 25 units may be paid in respect of waste to be discharged onto land instead of the appropriate amount specified in Table 2 of Part 3 of Schedule 4, if the Chief Executive Officer is satisfied that the method of discharge renders the waste harmless to the environment.

(2) For the purposes of regulation 5G, the amount of 25 units mentioned in subregulation (1) is to be regarded as an amount payable under Part 3 of Schedule 4.

Maximum fee

5G. The maximum fee payable in respect of a licence is —

- (a) if the total amount otherwise payable under Part 3 of Schedule 4 is predominantly attributable to the discharge of waste into air or onto land —
 - (i) \$165 000, in a case where that total amount or a component of that total amount is subject to the increase specified in regulation 5E (4); or
 - (ii) \$110 000, in any other case;
- (b) if the total amount otherwise payable under Part 3 of Schedule 4 is predominantly attributable to the discharge of waste into waters, \$200 000; or
- (c) if the total amount otherwise payable under Part 3 of Schedule 4 is equally attributable to the discharge of waste into air or onto land and the discharge of waste into waters, \$200 000.

Refunds

5H. (1) If an application for a licence is refused, the Chief Executive Officer is to —

- (a) deduct from the fee which accompanied the application such amount as the Chief Executive Officer considers reasonable to meet the administrative costs associated with determining the application; and
- (b) refund the balance of the fee to the applicant.

(2) If —

- (a) a fee paid in respect of a licence comprised an amount determined under regulation 5E (2) or (3); and
- (b) the Chief Executive Officer is satisfied that the quantity of waste discharged from the premises during the term of the licence (“the actual discharge”) is less than the quantity used as the basis for determining that amount,

the Chief Executive Officer is to refund to the licensee the difference between the fee that would have been payable if the amount under Part 3 of Schedule 4 had been determined on the basis of the actual discharge and the fee paid.

Certain matters to be determined by Chief Executive Officer

5I. For the purposes of determining the amount of a fee under this Part, any question relating to the cost of works, the production or design capacity of premises, or the kind or quantity of waste discharged or to be discharged from premises is to be determined by the Chief Executive Officer.

Transitional provision (reduced fees)

5J. Despite regulation 5D, the fee prescribed for the purposes of section 57 (1) (b) of the Act —

- (a) in respect of an application for a licence made within the first year after the commencement of the *Environmental Protection Amendment Regulations (No. 3) 1996*, is two fifths of the fee that would otherwise apply under this Part; and
- (b) in respect of an application for a licence made within the second year after the commencement of the *Environmental Protection Amendment Regulations (No. 3) 1996*, is two thirds of the fee that would otherwise apply under this Part.

Schedules 1, 2 and 3 repealed and Schedules substituted

6. Schedules 1, 2 and 3 to the principal regulations are repealed and the following Schedules are substituted —

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SCHEDULE 1 — PRESCRIBED PREMISES

[regulation 5]

PART 1

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
1	Cattle feedlot: premises on which the watering and feeding of cattle occurs, being premises —	500 animals or more
	(a) situated less than 100 metres from a watercourse; and	

<i>Category number</i>	<i>Description of category.</i>	<i>Production or design capacity</i>
	(b) on which the number of cattle per hectare exceeds 50.	
2	Intensive piggery: premises on which pigs are fed, watered and housed in pens.	1 000 animals or more
3	Aquaculture (ponds or tanks): premises on which —	Biomass 1 000 kilograms or more
	(a) marine, estuarine or freshwater fish or prawns are propagated or reared; and	
	(b) supplementary feeding occurs,	
	in ponds or tanks that discharge waste into waters or onto land.	
4	Aquaculture (natural waters): premises on which —	Not applicable
	(a) marine, estuarine or freshwater fish or prawns are propagated or reared; and	
	(b) supplementary feeding occurs,	
	in enclosures in naturally occurring waters.	
5	Processing or beneficiation of metallic or non-metallic ore: premises (other than premises within category 6 or 7) on which the crushing, grinding, milling or processing of metallic or non-metallic ore or the reprocessing of tailings occurs.	50 000 tonnes or more per year
6	Mine dewatering, tailings or residue disposal: premises on which —	50 000 tonnes or more per year
	(a) water is extracted and discharged into the environment to allow mining of ore; or	
	(b) mining or processing of ore occurs and tailings or residue are discharged into a containment cell or dam.	
7	Vat or <i>in situ</i> leaching of metal: premises on which metal is extracted from ore with a chemical solution.	5 000 tonnes or more per year
8	Mineral sands mining or processing: premises on which mineral sands ore is mined, screened, separated or otherwise processed.	5 000 tonnes or more per year
9	Coal mining: premises on which —	5 000 tonnes or more per year
	(a) water is extracted and discharged into the environment to allow coal mining; or	

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
	(b) coal mining or processing occurs and tailings are discharged.	
10	Oil or gas production from wells: premises, whether on land or offshore, on which crude oil, natural gas or condensate is extracted from below the surface of the land or the seabed, as the case requires, and is treated or separated to produce stabilized crude oil, purified natural gas or liquefied hydrocarbon gases.	5 000 tonnes or more per year
11	Oil or gas production (other): premises (other than premises within category 10) on which the commercial production of oil or gas occurs (including the reforming of hydrocarbon gas).	5 000 tonnes or more per year
12	Screening, etc. of material: premises (other than premises within category 5 or 8) on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	50 000 tonnes or more per year
13	Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned.	1 000 tonnes or more per year
14	Solar salt manufacturing: premises on which salt is produced by solar evaporation.	Not applicable
15	Abattoir: premises on which animals are slaughtered.	1 000 tonnes or more per year
16	Rendering operations: premises on which substances from animal material are processed or extracted.	100 tonnes or more per year
17	Milk processing: premises on which — (a) milk is separated or evaporated (other than a farm); or (b) evaporated or condensed milk, butter, ice cream, cheese or any other dairy product is manufactured, and from which liquid waste is or is to be discharged onto land or into waters.	100 tonnes or more per year
18	Food processing: premises (other than premises within category 24) — (a) on which vegetables are, or fruit or meat is, preserved, cooked, dried, canned, bottled or processed; and	200 tonnes or more per year

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
	(b) from which liquid waste is or is to be discharged onto land or into waters.	
19	Edible oil or fat processing: premises on which vegetable oil or oil seed or animal fat is processed and from which liquid waste is or is to be discharged onto land or into waters.	200 tonnes or more per year
20	Starch manufacturing: premises on which starch or gluten is manufactured and from which liquid waste is or is to be discharged onto land or into waters.	200 tonnes or more per year
21	Sugar milling or refining: premises on which sugar cane is crushed or sugar is refined.	1 000 tonnes or more per year
22	Seafood processing: premises (other than a fish wholesaler) on which fish or other seafood is processed and from which liquid waste is or is to be discharged onto land or into waters.	200 tonnes or more per year
23	Animal feed manufacturing: premises (other than premises within category 15 or 16) on which animal food is manufactured or processed.	1 000 tonnes or more per year
24	Non-alcoholic beverage manufacturing: premises on which a non-alcoholic beverage is manufactured and from which liquid waste is or is to be discharged onto land or into waters.	200 kilolitres or more per year
25	Alcoholic beverage manufacturing: premises on which an alcoholic beverage is manufactured and from which liquid waste is or is to be discharged onto land or into waters.	50 kilolitres or more per year
26	Textile operations: premises on which —	1 000 tonnes or more per year
	(a) carpet is manufactured;	
	(b) cotton ginning or milling occurs; or	
	(c) textiles are bleached, dyed or finished.	
27	Woolscouring: premises on which wool is scoured or cleaned.	1 000 tonnes or more per year
28	Wood board manufacturing: premises on which particleboard or chipboard is fabricated or manufactured.	500 tonnes or more per year
29	Timber preserving: premises on which timber is preserved for commercial purposes by the use of chemicals.	Not applicable

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
30	Pulp, paper or paperboard manufacturing: premises on which paper pulp, wood pulp, kraft paper, kraft paperboard, cardboard, paper or paperboard is manufactured.	5 000 tonnes or more per year
31	Chemical manufacturing: premises (other than premises within category 32) on which chemical products are manufactured by a chemical process.	100 tonnes or more per year
32	Pesticides manufacturing: premises on which herbicides, insecticides or pesticides are manufactured by a chemical process.	Not applicable
33	Chemical blending or mixing: premises on which chemicals or chemical products are mixed, blended or packaged in a manner that causes or is likely to cause a discharge of waste into the environment.	500 tonnes or more per year
34	Oil or gas refining: premises on which crude oil, condensate or gas is refined or processed.	Not applicable
35	Asphalt manufacturing: premises on which hot or cold mix asphalt is produced using crushed or ground rock aggregates mixed with bituminous or asphaltic materials for use at places or premises other than those premises.	Not applicable
36	Bitumen manufacturing: premises on which bitumen is mixed or prepared for use at places or premises other than those premises.	Not applicable
37	Char manufacturing: premises on which wood, carbon material or coal is charred to produce a fuel or material of a carbonaceous nature or of enriched carbon content.	10 tonnes or more per year
38	Coke production: premises on which coke is produced, quenched, cut, crushed or graded from coal or petroleum.	100 tonnes or more per year
39	Chemical or oil recycling: premises on which waste liquid hydrocarbons or chemicals are refined, purified, reformed, separated or processed.	Not applicable
40	Glass or glass fibre manufacturing: premises on which glass or glass fibre is manufactured.	200 tonnes or more per year
41	Clay bricks or ceramic products manufacturing: premises on which refractory products, tiles, pipes or pottery are manufactured.	1 000 tonnes or more per year
42	Mineral wool or ceramic fibre manufacturing: premises on which mineral wool or ceramic fibre is manufactured.	Not applicable

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
43	Cement or lime manufacturing: premises on which — (a) clay, limesand or limestone material is used in a furnace or kiln in the production of cement clinker or lime; or (b) cement clinker, clay, limestone or similar material is ground.	Not applicable
44	Metal smelting or refining: premises on which metal ore, metal ore concentrate or metal waste is smelted, fused, roasted, refined or processed.	1 000 tonnes or more per year
45	Metal melting or casting: premises on which metal or scrap metal is melted in furnaces or cast.	100 tonnes or more per year
46	Bauxite refining: premises (other than premises within paragraph (b) of category 6) on which alumina is produced from bauxite refining.	Not applicable
47	Scrap metal recovery: premises (other than premises within category 44) on which metal scrap is fragmented or melted, including premises on which lead acid batteries are reprocessed.	100 tonnes or more per year
48	Metal finishing: premises (other than premises within category 44) on which metals are chemically cleaned or metals, plastics or metal or plastic products are plated, electroplated, anodized, coloured or otherwise coated or finished.	Not applicable
49	Boat building and maintenance: premises on which — (a) vessels are commercially built or maintained; and (b) organotin compounds are used or removed from vessels.	Not applicable
50	Tannery: premises on which animal skins or hides are tanned, dressed, finished or dyed and from which liquid waste is or is to be discharged onto land or into waters.	1 000 skins or hides or more per year
51	Foam products manufacturing: premises on which resin is used to prepare or manufacture plastic foam or plastic foam products using MDI (diphenylmethane di-isocyanate) or TDI (toluene-2, 4-di-isocyanate).	1 tonne or more per year

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
52	Electric power generation: premises (other than premises within category 53 or an emergency or standby power generating plant) on which electrical power is generated using a fuel.	20 megawatts or more in aggregate (using natural gas) 10 megawatts or more in aggregate (using a fuel other than natural gas)
53	Flyash disposal: premises on which flyash is disposed of.	1 000 tonnes or more per year
54	Sewage treatment facility: premises — (a) on which sewage is treated (excluding septic tanks); and (b) from which treated sewage is discharged onto land or into waters.	100 cubic metres or more per day
55	Livestock saleyard or holding pen: premises on which live animals are held pending their sale, shipment or slaughter.	10 000 animals or more per year
56	Used tyre storage (tyre fitting business): premises on which used tyres are stored in connection with a tyre fitting business.	500 tyres or more
57	Used tyre storage (general): premises (other than premises within category 56) on which used tyres are stored.	100 tyres or more
58	Bulk material loading or unloading: premises on which clinker, coal, ore, ore concentrate or any other bulk granular material is loaded onto or unloaded from vessels by an open materials loading system.	100 tonnes or more per day
59	Biomedical waste incineration: premises on which — (a) infectious or potentially infectious waste produced by health care establishments, or by pathology, dental, or veterinary practices, or by laboratories, is incinerated; (b) quarantine waste is incinerated; or (c) cytotoxic waste is destroyed, but not including premises on which there are only facilities used exclusively for human or animal cremation.	Not applicable
60	Incineration: premises (other than premises within category 59) on which waste, excluding clean paper and cardboard, is incinerated.	100 kilograms or more per hour

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
61	Waste treatment facility: premises (other than premises within category 54) — (a) on which liquid waste produced on other premises is stored, reprocessed, treated or irrigated; or (b) from which waste, including septage or sewage treatment plant sludge, is discharged onto land.	100 tonnes or more per year
62	Waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.	500 tonnes or more per year
63	Inert landfill site: premises on which only inert waste (as determined by reference to the specifications set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996", published by the Chief Executive Officer and as amended from time to time) is accepted for burial.	Not applicable
64	Putrescible landfill site: premises (other than premises within category 63) on which only one or more of the following kinds of waste (in each case as determined by reference to the specifications referred to in category 63) is or are accepted for burial — (a) inert waste; (b) putrescible waste; (c) low hazard waste (type 1); (d) special waste (type 1).	Not applicable
65	Secure landfill site: premises on which either or both of the following types of waste (in each case as determined by reference to the specifications referred to in category 63) is or are accepted for burial — (a) low hazard waste (type 2); (b) special waste (type 2).	Not applicable
66	Intractable landfill site: premises on which only intractable waste (as determined by reference to the specifications referred to in category 63) is accepted for burial.	Not applicable
67	Fuel burning: premises on which gaseous, liquid or solid fuel is burnt in a boiler for the supply of steam or in power generation equipment.	In aggregate 500 kilograms or more per hour (fuel with a sulphur content of 0.25% or more)

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
		In aggregate 2 000 kilograms or more per hour (fuel with a sulphur content of less than 0.25%)

PART 2

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
68	Cattle feedlot: premises on which the watering and feeding of cattle occurs, being premises — (a) situated 100 metres or more from a watercourse; and (b) on which the number of cattle per hectare exceeds 50.	500 animals or more
69	Intensive piggery: premises on which pigs are fed, watered and housed in pens.	More than 500 but less than 1 000 animals
70	Screening, etc. of material: premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	More than 5 000 but less than 50 000 tonnes per year
71	Compost manufacturing: premises on which organic material (excluding silage) or waste is commercially stored, processed, mixed, dried or composted.	1 000 tonnes or more per year
72	Chemical manufacturing: premises on which chemical products are manufactured by a chemical process.	Not more than 100 tonnes per year
73	Bulk storage of chemicals, etc: premises on which acids, alkalis or chemicals that — (a) contain at least one carbon to carbon bond; and (b) are liquid at STP (standard temperature and pressure), are stored.	1 000 cubic metres in aggregate
74	Chemical blending or mixing causing discharge: premises on which chemicals or chemical products are mixed, blended or packaged in a manner that causes or is likely to cause a discharge of waste into the environment.	More than 50 but less than 500 tonnes per year
75	Chemical blending or mixing not causing discharge: premises on which chemicals or chemical products are mixed, blended or packaged in a manner that does not cause or is not likely to cause a discharge of waste into the environment.	5 000 tonnes or more per year

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
76	Ceramic goods manufacturing: premises on which ceramic kitchen or table ware or other non-refractory ceramic products are manufactured.	200 tonnes or more per year
77	Concrete batching or cement products manufacturing: premises on which cement products or concrete are manufactured for use at places or premises other than those premises.	100 tonnes or more per year
78	Plaster manufacturing: premises on which plaster, plaster board, gyprock or other products comprised wholly or primarily of gypsum are manufactured.	500 tonnes or more per year
79	Carbon stripping: premises on which carbon granules from a gold extraction process located at another place or on other premises are reprocessed.	100 tonnes or more per year
80	Non-metallic mineral processing: premises on which non-metallic minerals are crushed, ground, milled or separated.	100 tonnes or more per year
81	Metal coating: premises on which metal products (excluding vehicles) are spray painted, powder coated or enamelled.	1 000 litres or more per year (paint or powder)
82	Boat building and maintenance: premises on which — (a) vessels are commercially built or maintained; and (b) organotin compounds are not used or removed from vessels.	Not applicable
83	Fellmongering: premises on which animal skins or hides are dried, cured or stored.	1 000 skins or hides or more per year
84	Electric power generation: premises (other than premises within category 53 or an emergency or standby power generating plant) on which electrical power is commercially generated using natural gas as a fuel.	More than 10 but less than 20 megawatts in aggregate
85	Sewage treatment facility: premises — (a) on which sewage is treated (excluding septic tanks); or (b) from which treated sewage is discharged onto land or into waters.	More than 20 but less than 100 cubic metres per day

<i>Category number</i>	<i>Description of category</i>	<i>Production or design capacity</i>
86	Bulk material loading or unloading: premises on which clinker, coal, ore, ore concentrate or any other bulk granular material is loaded onto or unloaded from vessels by a closed materials loading system.	100 tonnes or more per day
87	Fuel burning: premises on which gaseous, liquid or solid fuel with a sulphur content of less than 0.25% is burnt in a boiler for the supply of steam or in power generation equipment.	More than 500 but less than 2 000 kilograms per hour in aggregate

SCHEDULE 2 — PREMISES SUBJECT TO REGISTRATION

[regulation 5B]

<i>Description of premises</i>	<i>Production or design capacity</i>
1. Abattoir: premises on which animals are slaughtered.	More than 100 but less than 1 000 tonnes per year
2. Smoking, drying or curing operations: premises (other than a retail butcher shop or chicken outlet) on which meat or other edible products are smoked, dried or cured.	More than 200 tonnes per year
3. Fibreglass reinforced plastic manufacturing: premises on which resin is used to prepare or manufacture reinforced plastics or reinforced plastic products.	More than 1 tonne per year
4. Water treatment facility: premises on which water is treated for domestic use.	More than 1 megalitre per day
5. Abrasive blasting operations: premises on which metal or other material is cleaned or abraded by blasting with any abrasive blasting material or abrasive blasting equipment.	Not applicable

SCHEDULE 3 — WORKS APPROVAL FEE

[regulation 5C]

<i>Cost of works</i>	<i>Fee units</i>
Not more than \$10 000	15
More than \$10 000 but not more than \$50 000	15 plus 5 for every \$10 000 above \$10 000
More than \$50 000 but not more than \$500 000	35 plus 10 for every \$50 000 above \$50 000

<i>Cost of works</i>	<i>Fee units</i>
More than \$500 000 but not more than \$5 000 000	125 plus 20 for every \$500 000 above \$500 000
More than \$5 000 000 but not more than \$25 000 000	305 plus 100 for every \$5 000 000 above \$5 000 000
More than \$25 000 000 but not more than \$100 000 000	705 plus 50 for every \$5 000 000 above \$25 000 000
More than \$100 000 000	1405

SCHEDULE 4 — LICENCE FEE

[regulation 5D]

PART 1 — PREMISES COMPONENT

<i>Category</i>	<i>Production or design capacity</i>	<i>Fee units</i>
Categories 1 and 2	Less than 2 000 animals	50
	2 000 animals or more	100
Categories 3 and 4	Not applicable	20
Categories 5, 7, 8, 9, 12, 13, and 14	Not more than 50 000 tonnes per year	50
	More than 50 000 but not more than 100 000 tonnes per year	100
	More than 100 000 but not more than 500 000 tonnes per year	200
	More than 500 000 but not more than 5 000 000 tonnes per year	300
	More than 5 000 000 tonnes per year	450
Categories 6 and 53	Not more than 100 000 tonnes per year	30
	More than 100 000 but not more than 500 000 tonnes per year	50
	More than 500 000 tonnes per year	100
Categories 10, 11 and 34	Not more than 50 000 tonnes per year	75
	More than 50 000 but not more than 100 000 tonnes per year	150
	More than 100 000 but not more than 500 000 tonnes per year	
	More than 500 000 but not more than 2 000 000 tonnes per year	250

<i>Category</i>	<i>Production or design capacity</i>	<i>Fee units</i>
	More than 2 000 000 tonnes per year	400
		600
Category 15	Not more than 5 000 tonnes per year	75
	More than 5 000 but not more than 50 000 tonnes per year	150
	50 000 tonnes or more per year	200
Category 16	Not more than 2 000 tonnes per year	100
	More than 2 000 but not more than 10 000 tonnes per year	200
	More than 10 000 tonnes per year	300
Categories 17, 18, 19, 20, 22, 23, 24, 25 and 27	Not more than 2 000 tonnes per year	50
	More than 2 000 but not more than 10 000 tonnes per year	75
	More than 10 000 but not more than 100 000 tonnes per year	150
	More than 100 000 tonnes per year	200
Category 21	Not more than 10 000 tonnes per year	75
	More than 10 000 but not more than 100 000 tonnes per year	150
	More than 100 000 tonnes per year	250
Category 26	Not more than 10 000 tonnes per year	50
	More than 10 000 but not more than 100 000 tonnes per year	100
	More than 100 000 tonnes per year	150
Categories 28 and 29	Not more than 5 000 tonnes per year	50
	More than 5 000 but not more than 50 000 tonnes per year	150
	More than 50 000 tonnes per year	200

<i>Category</i>	<i>Production or design capacity</i>	<i>Fee units</i>
Category 30	Not more than 50 000 tonnes per year	100
	More than 50 000 but not more than 250 000 tonnes per year	150
	More than 250 000 but not more than 1 000 000 tonnes per year	200
	More than 1 000 000 tonnes per year	400
Categories 31 and 32	Not more than 2 000 tonnes per year	50
	More than 2 000 but not more than 10 000 tonnes per year	150
	More than 10 000 but not more than 50 000 tonnes per year	250
	More than 50 000 but not more than 100 000 tonnes per year	400
	More than 100 000 tonnes per year	600
Categories 33, 35, 36, 37, 38 and 39	Not more than 2 000 tonnes per year	50
	More than 2 000 but not more than 10 000 tonnes per year	100
	More than 10 000 but not more than 50 000 tonnes per year	200
	More than 50 000 tonnes per year	300
Categories 40, 42 and 43	Not more than 10 000 tonnes per year	100
	More than 10 000 but not more than 100 000 tonnes per year	200
	More than 100 000 tonnes per year	400
Category 41	Not more than 5 000 tonnes per year	50
	More than 5 000 but not more than 50 000 tonnes per year	100
	More than 50 000 but not more than 500 000 tonnes per year	250
	More than 500 000 tonnes per year	350

<i>Category</i>	<i>Production or design capacity</i>	<i>Fee units</i>
Category 44	Not more than 10 000 tonnes per year	75
	More than 10 000 but not more than 50 000 tonnes per year	150
	More than 50 000 but not more than 500 000 tonnes per year	300
	More than 500 000 tonnes per year	600
Category 45	Not more than 1 000 tonnes per year	50
	More than 1 000 but not more than 10 000 tonnes per year	100
	More than 10 000 but not more than 100 000 tonnes per year	200
	More than 100 000 tonnes per year	400
Category 46	Not more than 1 000 000 tonnes per year	250
	More than 1 000 000 tonnes per year	600
Category 47	Not more than 2 000 tonnes per year	20
	More than 2 000 but not more than 10 000 tonnes per year	50
	More than 10 000 tonnes per year	100
Category 48	Not more than 10 000 tonnes per year	100
	More than 10 000 tonnes per year	200
Category 49	Not applicable	50
Categories 50 and 51	Not applicable	50
Category 52	Not more than 20 megawatts	50
	More than 20 but not more than 100 megawatts	100
	More than 100 but not more than 200 megawatts	200
	More than 200 megawatts	500
Category 54	Not more than 200 cubic metres per day	20
	More than 200 but not more than 2 000 cubic metres per day	50

<i>Category</i>	<i>Production or design capacity</i>	<i>Fee units</i>
	More than 2 000 cubic metres per day	100
Category 55	Not applicable	50
Categories 56 and 57	Not applicable	20
Category 58	Not more than 5 000 tonnes per day	75
	More than 5 000 but not more than 10 000 tonnes per day	150
	More than 10 000 but not more than 50 000 tonnes per day	250
	More than 50 000 tonnes per day	350
Category 59	Not more than 100 kilograms per hour	50
	More than 100 kilograms per hour	100
Category 60	Not more than 500 kilograms per hour	50
	More than 500 kilograms per hour	100
Category 61	Not more than 100 tonnes per year	15
	More than 100 but not more than 10 000 tonnes per year	30
	More than 10 000 but not more than 100 000 tonnes per year	45
	More than 100 000 tonnes per year	60
Category 62	More than 500 but not more than 5 000 tonnes per year	8
	More than 5 000 tonnes per year	40
Category 63	Not more than 500 tonnes per year	Nil
	More than 500 but not more than 5 000 tonnes per year	8
	More than 5 000 but not more than 50 000 tonnes per year	40
	More than 50 000 but not more than 500 000 tonnes per year	80
	More than 500 000 tonnes per year	160

<i>Category</i>	<i>Production or design capacity</i>	<i>Fee units</i>
Category 64	Not more than 500 tonnes per year	Nil
	More than 500 but not more than 5 000 tonnes per year	40
	More than 5 000 but not more than 50 000 tonnes per year	160
	More than 50 000 but not more than 500 000 tonnes per year	320
	More than 500 000 tonnes per year	640
Category 65	Not applicable	655
Category 66	Not applicable	655
Category 67	Not applicable	15
Categories 68 to 87	Not applicable	24

PART 2 — TAILINGS OR FLYASH COMPONENT

<i>Discharge quantity</i>	<i>Fee units</i>
Not more than 10 000 tonnes per year	30
More than 10 000 but not more than 100 000 tonnes per year	70
More than 100 000 but not more than 500 000 tonnes per year	150
More than 500 000 but not more than 1 000 000 tonnes per year	200
More than 1 000 000 tonnes per year	400

PART 3 — DISCHARGE COMPONENT

Table 1 — Discharges into air

<i>Kind of waste</i>	<i>Fee units (for each gram per minute)</i>
1. Carbon monoxide	0.01
2. Oxides of nitrogen, sulphur oxides and particulates	0.1
3. Volatile organic compounds (being compounds not specified elsewhere in this Table that participate in atmospheric photochemical reactions) —	
(a) discharged from premises in the metropolitan region (within the meaning of the <i>Metropolitan Region Town Planning Scheme Act 1959</i>) or the Swan Coastal Plain	1
(b) discharged from premises in any other part of the State	0.1

	<i>Kind of waste</i>	<i>Fee units (for each gram per minute)</i>
4.	Inorganic fluoride	2.5
5.	Pesticides	2.5
6.	Aluminium, arsenic, chromium, cobalt, copper, lead, manganese, molybdenum, nickel, vanadium and zinc	2.5
7.	Vinyl chloride, hydrogen sulphide, benzene carbon oxysulphide, carbon disulphide and acrylates	10
8.	Beryllium, cadmium, mercury, TDI (toluene-2, 4-di-iso-cyanate), MDI (diphenyl-methane di-iso-cyanate)	100
9.	Other waste	1

Table 2 — Discharges onto land or into waters

	<i>Kind of waste</i>	<i>Fee units</i>
1.	Liquid waste that can potentially deprive receiving waters of oxygen (for each kilogram discharged per day) —	
	(a) biochemical oxygen demand (in the absence of chemical oxygen demand limit)	0.5
	(b) chemical oxygen demand (in the absence of total organic carbon limit)	1
	(c) total organic carbon	0.5
2.	Biostimulants (for each kilogram discharged per day) —	
	(a) phosphorus —	
	(i) Swan Coastal Plain	10
	(ii) elsewhere	2
	(b) total nitrogen —	
	(i) Swan Coastal Plain	10
	(ii) elsewhere	2
3.	Liquid waste that physically alters the characteristics of naturally occurring waters —	
	(a) total suspended solids (for each kilogram discharged per day)	0.5
	(b) surfactants (for each kilogram discharged per day)	10
	(c) colour alteration (for each platinum cobalt unit of colour above the ambient colour of the waters in each megalitre discharged per day)	0.05
	(d) temperature alteration (for each 1°C above the ambient temperature of the waters in each megalitre discharged per day) —	
	(i) in the sea south of the Tropic of Capricorn	0.05

	<i>Kind of waste</i>	<i>Fee units</i>
	(ii) in other waters	0.25
4.	Waste that can potentially accumulate in the environment or living tissue (for each kilogram discharged per day) —	
	(a) aluminium, arsenic, cadmium, chromium, cobalt, copper, lead, manganese, mercury, molybdenum, nickel, vanadium and zinc	100
	(b) pesticides	100
	(c) fish tainting wastes	100
5.	<i>E coli</i> bacteria as indicator species (in each megalitre discharged per day) —	
	(a) 1 000 to 5 000 organisms per 100 ml	5
	(b) 5 000 to 20 000 organisms per 100 ml	10
	(c) more than 20 000 organisms per 100 ml	15
6.	Other waste (per kilogram discharged per day) —	
	(a) oil and grease	0.05
	(b) total dissolved solids	0.05
	(c) fluoride	1
	(d) iron	1
	(e) total residual chlorine	10
	(f) other	1

Transitional

7. (1) The principal regulations as amended by these regulations do not apply to an existing landfill site until the expiration of the period of 6 months after the commencement of these regulations.

(2) In this regulation —

“existing landfill site” means a landfill site that, immediately before the commencement of these regulations, was operated as —

- (a) by a local government with the consent of the Governor under section 119 of the *Health Act 1911*; or
- (b) as a landfill site at which only inert waste (as determined by reference to the specifications set out in the document entitled “Landfill Waste Classification and Waste Definitions 1996”, published by the Chief Executive Officer and as amended from time to time) was accepted for burial.

Recommended by the Environmental Protection Authority.

R. K. STEEDMAN, Chairman.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.