

## EP303

## ENVIRONMENTAL PROTECTION ACT 1986

ENVIRONMENTAL PROTECTION AMENDMENT REGULATIONS (No. 3)  
1991

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) 1991*.

**Commencement**

2. These regulations shall come into operation on the day on which they are published in the *Government Gazette*.

**Principal regulations**

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

[\*Published in the *Gazette* of 20 February 1987 at pp. 444-449. For amendments to 21 May 1991 see 1990 Index to Legislation of Western Australia p. 228.]

**Regulation 11 added**

4. After regulation 10 of the principal regulations the following regulations are added—

**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.

#### 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.

#### Transport of used tyres prohibited

13. (1) A person shall not—

- (a) for gain or other reward; or
  - (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.

#### 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 thousand million |
  - or such other levels as are approved by 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 not less than 500 mm of soil in batches not exceeding 1 000 tyres after shredding or otherwise reducing the tyres into pieces not exceeding 250 mm, unless the person in charge of the site with the approval of the Chief Executive Officer permits the tyres to be buried whole; or
- (c) any other method of disposal approved by the Minister on the advice of the Chief Executive Officer.

#### 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. "

#### Schedule 1 amended

5. Schedule 1 to the principal regulations is amended by inserting after item (xxiii) of item 1 the following item—

- " (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); "

**Schedule 3 amended**

6. Schedule 3 to the principal regulations is amended in item 1 by inserting after paragraph (s) the following paragraph—

- “ (t) 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)—
- |   | \$      |
|---|---------|
| (i) the number stored does not exceed 10 000 ....               | 200     |
| (ii) the number stored exceeds 10 000 but not 100 000 .....     | 500     |
| (iii) the number stored exceeds 100 000 but not 500 000 .....   | 1 000   |
| (iv) the number stored exceeds 500 000 but not 1 000 000 .....  | 2 000   |
| (v) the number stored exceeds 1 000 000 but not 5 000 000 ..... | 3 000   |
| (vi) the number stored exceeds 5 000 000 .....                  | 5 000 ” |

Adopted at a meeting of the Environmental Protection Authority held on 17 May 1991.

B. CARBON, Chairman.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.