



# SCHEDULED PREMISES REGULATIONS REVIEW SUBMISSION TEMPLATE

DELWP and EPA are reviewing the current Scheduled Premises Regulations in order to revise and update them before they sunset in mid-2017.

A [Discussion Paper](#) has been published. It explores options for the new version of the regulations. It is an initial opportunity for you to help shape the review by providing feedback.

We welcome your comments on the questions in the [Discussion Paper](#) by **14 December 2015**.

You can provide your comments using this template. Alternatively, you can use the [online questionnaire](#).  
**Please note: The online questionnaire needs to be completed in one sitting.**

The [Discussion Paper](#) provides further details about the next steps for this review, including how to stay informed and involved.

Your input may be made public. If you would like your contribution to remain confidential, please clearly indicate this on the next page. Please note that Freedom of Information access requirements will apply to all comments, even those treated as confidential. Accordingly, your comments may potentially be released to members of the public.

We thank you in advance for your cooperation and feedback.

## Contact details

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**I am making this submission on behalf of:**

- Individual
- Non-government organisation / community organisation
- Business
- Local Government
- Other government entity
- Other (please specify)

**Industry Activity or Scheduled Category (if applicable):**

**Industry body, whose members are drawn from the Electroplating, Anodisers, Powder Coaters and sandblasters.**

**Privacy Options - please select an option:**

- I am making this submission as an individual and I understand that it may be published
- I am making this submission as an individual. I request my submission be published anonymously with my postcode but with no other details.
- This submission is being made by an organisation and I understand that it may be published, including the name of the organisation

# The Current Regulations

These questions relate to the list of industry activities covered by the current Environment Protection (Scheduled Premises and Exemptions) Regulations 2007 as discussed in Section 3 of the Scheduled Premises Regulations Review [Discussion Paper](#).

For a full list of industry activities and their definitions, please refer to the current regulations [here](#).

## QUESTION 1:

**Which of the following currently scheduled categories or industrial activities are the most important for EPA works approval, licensing, and/or financial assurance requirements?**

**For each of the activities you regard as most important, please tell us why in the box provided.**

A01	PIW management	<b>Landfill scarcity, encourage recovery/re-use, community health</b>
A02	Other waste treatment	<b>Source reduction better than treatment</b>
A03	Sewage treatment	
A04	Industrial wastewater treatment	<b>Need to encourage recovery/re-use</b>
A05	Landfills	<b>NIMBY</b>
A06	Land disposal	
A07	Composting	
A08	Waste to energy	
A09	Waste tyre storage	
B01	Intensive animal industry	
B02	Livestock saleyards	
B03	Fish farms	
C01	Extractive industry and mining	
D01	Abattoirs	
D02	Rendering	
D03	Animal skin tanning	
D04	Seafood processing	
D05	Pet food processing	
D06	Food processing	
D07	Milk processing	
D08	Edible oil	

D09	Beverage manufacturing	
E01	Textiles	
F01	Timber preservation	
F02	Fibreboard	
F03	Paper pulp mills	
G01	Chemical works	
G02	Coal Processing	
G03	Oil and gas refining	
G04	Bulk Storage	
G05	Container Washing	
H01	Cement	
H02	Bitumen (asphalt) batching	
H03	Ceramics	
H04	Mineral wool	
H05	Glass works	
I01	Primary metallurgical	
I02	Metal melting	
I03	Metal galvanising	
I04	Metal finishing	<b>Currently exempt – should stay that way with conditions</b>
I05	Can and drum coating	
I06	Vehicle assembly	
J01	Printing	
K01	Power stations	
K02	Carbon geosequestration	
K03	Potable water treatment plants	
K04	Water desalination plants	
L01	General emissions to air	
L02	Contaminated sites—onsite soil containment	
L03	Tunnel Ventilation Systems	
L04	Contaminated sites—long term management	

## QUESTION 2:

What currently scheduled categories or industrial activities might no longer warrant EPA works approval, licensing, and/or financial assurance requirements?

For each of the activities you regard as NO\*longer warranting requirements, please tell us which risks have been reduced and how in the box provided.

A01	PIW management	
A02	Other waste treatment	
A03	Sewage treatment	
A04	Industrial wastewater treatment	
A05	Landfills	
A06	Land disposal	
A07	Composting	
A08	Waste to energy	
A09	Waste tyre storage	
B01	Intensive animal industry	
B02	Livestock saleyards	
B03	Fish farms	
C01	Extractive industry and mining	
D01	Abattoirs	
D02	Rendering	
D03	Animal skin tanning	
D04	Seafood processing	
D05	Pet food processing	
D06	Food processing	
D07	Milk processing	
D08	Edible oil	
D09	Beverage manufacturing	
E01	Textiles	
F01	Timber preservation	
F02	Fibreboard	
F03	Paper pulp mills	
G01	Chemical works	

G02	Coal Processing	
G03	Oil and gas refining	
G04	Bulk Storage	
G05	Container Washing	
H01	Cement	
H02	Bitumen (asphalt) batching	
H03	Ceramics	
H04	Mineral wool	
H05	Glass works	
I01	Primary metallurgical	
I02	Metal melting	
I03	Metal galvanising	
I04	Metal finishing	<b>Reduction in industry size, replacement of many toxics, less waste and more recoveries in place</b>
I05	Can and drum coating	
I06	Vehicle assembly	
J01	Printing	
K01	Power stations	
K02	Carbon geosequestration	
K03	Potable water treatment plants	
K04	Water desalination plants	
L01	General emissions to air	
L02	Contaminated sites—onsite soil containment	
L03	Tunnel Ventilation Systems	
L04	Contaminated sites—long term management	

### QUESTION 3:

**What other industrial activities, not included in the current regulations, might warrant works approval, licensing, and/or financial assurance requirements and why?**



#### **QUESTION 4:**

**What would happen to emission levels, the numbers of pollution events, and the management of wastes if there were no EPA works approvals or licence requirements in Victoria? Why?**

**For metal finishing only-**

**Emissions to air – negligible – no change**

**Liquid discharges – no change – all under current agreements with water authorities**

**Solid wastes – PIW – huge reduction and recoveries being realized**

**Works approvals would not change these.**



# Adapting to changes

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The following questions relate to Section 4 of the Scheduled Premises Regulations Review [Discussion Paper](#), which discusses the need to ensure that the new scheduled premises regulations are as up-to-date and effective as possible, in light of recent and anticipated changes in Victoria's population, economy, mix of industrial technologies etc.

Please see the [current regulations](#) for the full descriptions and application thresholds (requiring works approvals, licences or financial assurances) in the current regulations.

## QUESTION 5:

**Do any of the descriptions and application thresholds for currently scheduled categories need to be changed or clarified?**

Yes (If yes, go to Question 5A)

No (If no, go to Question 6)

## QUESTION 5 A:

**Please indicate which definitions or application thresholds need to be changed or clarified for industrial activities in the list below.**

**For the activities, please tell us in detail for each activity, what specific changes or clarifications could be required?**

A01	PIW management	
A02	Other waste treatment	
A03	Sewage treatment	
A04	Industrial wastewater treatment	
A05	Landfills	
A06	Land disposal	
A07	Composting	
A08	Waste to energy	
A09	Waste tyre storage	
B01	Intensive animal industry	
B02	Livestock saleyards	
B03	Fish farms	
C01	Extractive industry and mining	
D01	Abattoirs	
D02	Rendering	

D03	Animal skin tanning	
D04	Seafood processing	
D05	Pet food processing	
D06	Food processing	
D07	Milk processing	
D08	Edible oil	
D09	Beverage manufacturing	
E01	Textiles	
F01	Timber preservation	
F02	Fibreboard	
F03	Paper pulp mills	
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I02	Metal melting	
I03	Metal galvanising	
I04	Metal finishing	
I05	Can and drum coating	
I06	Vehicle assembly	
J01	Printing	
K01	Power stations	
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L01	General emissions to air	
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L03	Tunnel Ventilation Systems	
L04	Contaminated sites—long term management	

Aside from the current activity-by-activity triggers for works approval or licence requirements, the current Scheduled Premises Regulations allow for a works approval or licence to be required for any activity with general emissions of certain substances to air over a set amount per year (see Category L01 – General emissions to air). Section 4 of the [Discussion Paper](#) introduces the idea that introducing more of these ‘emissions based triggers’ could increase the flexibility of the regulations in keeping pace with new industry activities.

### QUESTION 6:

**Would an increased focus on emissions-based triggers for works approval or licence requirements, regardless of the activity creating these emissions, make the Scheduled Premises regulations more effective?**

- Yes
- No

**Please tell us why you think that an increased focus on emissions-based triggers would/would not make the Scheduled Premises Regulations more effective.**

**For metal finishing, emissions to air are negligible.  
Solid wastes are reducing dramatically as is – being forced by discharge costs and market changes**

Section 4.1 of the Scheduled Premises Regulations Review Discussion Paper introduces some environmental challenges considered most relevant to this review.

### QUESTION 7:

**Do you agree that the environmental challenges outlined in section 4.1 are the most relevant ones for this review?**

- Yes (If yes, go to Question 8A)
- No (If no, go to Question 7A)

### QUESTION 7 A:

**Please tell us what other environmental challenges relating to industrial activities should be considered? Why?**

Considering the environmental issues in section 4.1 of the [Discussion Paper](#), the following questions seek your input on whether works approvals, licences, financial assurances, or other tools are best suited to addressing them.

### QUESTION 8:

Are works approvals a suitable tool to address the environmental challenges outlined in section 4.1 of the [Discussion Paper](#)?

- Yes (If yes, go to Question 8B)
- X No (If no, go to Question 8D) – not for metal finishing

### QUESTION 8 B:

Are licences a suitable tool to address the environmental challenges outlined in section 4.1 of the [Discussion Paper](#)?

- Yes (If yes, go to Question 8C)
- No (If no, go to Question 8D)

### QUESTION 8 C:

Are financial assurances a suitable tool to address the environmental challenges outlined in section 4.1 of the [Discussion Paper](#)?

- Yes (If yes, go to Question 9A)
- No (If no, go to Question 8D)

### QUESTION 8D:

What other tool(s) would be more suitable than works approvals, licences and/or financial assurances to address the environmental challenges outlined in section 4.1 of the [Discussion Paper](#)? Why?

The AISF and the EPA set/created a standard for the surface finishing industry in 2012, with the introduction of the Compliance Checklist. We believe that we could introduce training and access to the Checklist for non-members, so that the industry across the board would operate under the same compliance and would make life easier for the EPA inspectors as they would see the same paperwork at all businesses. This should be accompanied by further education and training in environmental management.

## New Elements being considered

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Section 5 of the Scheduled Premises Regulations Review [Discussion Paper](#) describes some potential new components which could be introduced into the Scheduled Premises Regulations and EPA's administrative processes which sit behind them, in order to meet the challenges of modern regulation.

Section 5.1 introduces the concept of tiered licence conditions, applied depending on a site's individual risk profile.

Section 5.2 introduces the concept of a licence fee component that reflects EPA's likely regulatory effort at each site.

### QUESTION 9 A:

Would tiered licence conditions, applied depending on a site's individual risk profile, be worthwhile?

Yes

No

Please tell us why.

The AISF Compliance Checklist has been in place for over 3 years and covers off on the risk profile of any business where it's in place. The sites will either comply or not and risk profiles are irrelevant because this sector does not discharge directly to the environment.

### QUESTION 9 B:

Would a site-based licence fee component, reflecting EPA's regulatory effort at each site, be worthwhile?

Yes  No

Please tell us why.

Our industry contributes significant EPA fees associated with PIW. This funding is no longer being used as a development fund for elimination of PIW. Therefore it should more than cover EPA's regulatory effort associated with our industry sector.  
High fees already apply to PIW and this money is no longer being used as a development fund for elimination of PIW. Therefore it should more than compensate EPA's regulatory role with our sector.

### QUESTION 10:

Please tell us if you think there are any components of the Scheduled Premises Regulations or Fees Regulations, or how they are applied by EPA, which could be improved.

AISF and its members believe that the regulations that are in place at the moment are more than adequate and with them implementing the checklist it more than covers off on their compliance to the regulations.

## QUESTION 11:

Do you have any concerns with how current processes for managing scheduled premises are operating?

- Yes (If yes, go to Question 11A)
- No (If no, go to Question 12)

## QUESTION 11 A:

What are your concerns with how current processes for managing scheduled premises are operating, and how might these concerns be effectively addressed?

## QUESTION 12:

Are there any other key points you would like to make?

Contrary to the assertion in the Discussion Paper, the AISF represents more than 60% of the electroplaters in Victoria. The training and education of these members is more beneficial than introducing extra regulation. We introduced the compliance checklist to all our Victorian members, which covered:

- Local Council Permits
- Works Approval
- Discharge to Air
- Discharge to Waterways
- Discharge to Land
- Trade Waste Discharge Agreement
- Storage & Handling of Dangerous Goods
- Emergency Response Plans
- Poisons Permit
- National Pollutant Inventory

The AISF on behalf of members worked with EPA Victoria in 2012 to introduce this self-regulating Compliance Checklist, which would look after the environment in the future, make it easier for EPA inspectors to recognize compliance or in some cases noncompliance. Members accepted that by having this checklist would be a cost effective way to manage their businesses and the sustainability for the industry and its stakeholders. We feel by introducing further regulation would increase the cost burden on business in both human resources and financially and hence lead to job losses. As you stated in your discussion paper, most of the businesses you are looking at either licensing or for financial assurance are small to medium in size, there is not a reason to introduce additional regulation as we have a document in place now to cover off on all the requirements of the EPA. The problems that have been discovered by the EPA over the last few years in the Surface Finishing sector have largely been due to lack of oversight by the EPA rather than a lack of a licence or financial assurance. As evidence of this, the EPA reported to the industry that the vast majority of applicators were more than willing to fix the problems that were found by EPA inspectors. This strong willingness by the industry itself suggests that regular inspections would be more beneficial to protect the environment than additional unwarranted regulation.

**Please return written submissions by 14 December 2015 to:**

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