

14 December 2015

Scheduled Premises Regulations Review
c/o- Policy and Regulation Unit,
EPA Victoria
GPO Box 4395
Melbourne VIC 3001

To whom it may concern,

Thank you for the opportunity to respond to the Scheduled Premises Regulations Review. We recognise and acknowledge the importance of the Scheduled Premises Regulations and the role they play in the Victorian water industry with a significant role in investment decisions, infrastructure and operational matters.

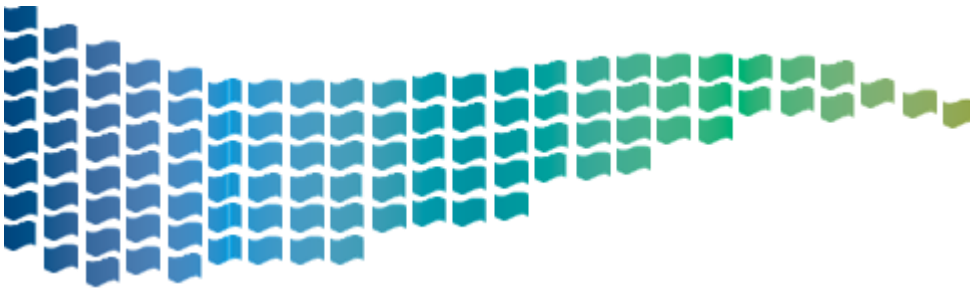
We would bring to your attention the VicWater submission and our support of the points raised therein. We draw particular attention to and fully support:

- The need for genuine risk based regulation;
- Continuing the commencement works approvals process;
- Using existing audit outcomes to support a risk based licence inspection regime;
- An Earned Autonomy Program that is companywide rather than site specific;
- A modification works approvals regime that compliments the Earned Autonomy Program and uses existing reporting mechanisms (APS) to share progress/results of modification work;
- Keeping the existing mechanisms for management of sewage networks; and
- Removing the need for financial assurances for Government owned licensees.

We support any changes that provide a regulatory model that delivers better environmental and community health outcomes at lower cost to communities. Should you wish to discuss in detail any matter raised in our or the VicWater submission we would welcome the opportunity to engage with you. Please contact [REDACTED] at [REDACTED] [@yvw.com.au](mailto:[REDACTED]@yvw.com.au) or on [REDACTED]

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



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

Name	
Company	<u>Yarra Valley Water</u>
City/Town	<u>Melbourne</u>
State	<u>Vic</u>
Postcode	<u>3132</u>
Email Address	
Phone Number	

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):

Sewage Treatment

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	Long term environmental impact if not managed correctly.
A02	Other waste treatment	
A03	Sewage treatment	While we agree there may be environmental and health impacts if poorly managed, majority, if not all Sewage Treatment facilities are managed by government owned authorities. The objectives of these business are to provide services to the community while protecting both public and environmental health. The risk of potential public scrutiny, if managed poorly is also a large driver in good practice. This reduces the overall importance and risk of this category.
A04	Industrial wastewater treatment	Long term environmental impact if not managed correctly.
A05	Landfills	Long term environmental impact if not managed correctly.
A06	Land disposal	Long term environmental impact if not managed correctly.
A07	Composting	
A08	Waste to energy	
A09	Waste tyre storage	Long term environmental impact if not managed correctly.
B01	Intensive animal industry	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site Can have an impact on the environment if located near a sensitive development e.g odour issues
B02	Livestock saleyards	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site Can have an impact on the environment if located near a sensitive development e.g odour issues
B03	Fish farms	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site Can have an impact on the environment if located near a sensitive development e.g odour issues
C01	Extractive industry and mining	Long term environmental impact if not managed correctly
D01	Abattoirs	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site Can have an impact on the environment if located near a sensitive development e.g odour issues

D02	Rendering	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site Can have an impact on the environment if located near a sensitive development e.g odour issues
D03	Animal skin tanning	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site Can have an impact on the environment if located near a sensitive development e.g odour issues
D04	Seafood processing	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site Can have an impact on the environment if located near a sensitive development e.g odour issues
D05	Pet food processing	Can have an impact on the environment if located near a sensitive development e.g odour issues Can have an impact on the environment due to poor wastewater management onsite
D06	Food processing	Can have an impact on the environment if located near a sensitive development e.g odour issues Can have an impact on the environment due to poor wastewater management onsite
D07	Milk processing	
D08	Edible oil	
D09	Beverage manufacturing	
E01	Textiles	
F01	Timber preservation	
F02	Fibreboard	
F03	Paper pulp mills	Long term environmental impact if not managed correctly.
G01	Chemical works	Long term environmental impact if not managed correctly.
G02	Coal Processing	Long term environmental impact if not managed correctly.
G03	Oil and gas refining	Long term environmental impact if not managed correctly.
G04	Bulk Storage	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site Risk to public health
G05	Container Washing	Can have an impact on the environment if located within the vicinity of waterways e.g. poor management of runoff from site
H01	Cement	
H02	Bitumen (asphalt) batching	Long term environmental impact if not managed correctly.
H03	Ceramics	
H04	Mineral wool	Long term environmental impact if not managed correctly.
H05	Glass works	
I01	Primary metallurgical	Long term environmental impact if not managed correctly.
I02	Metal melting	Long term environmental impact if not managed correctly.
I03	Metal galvanising	Long term environmental impact if not managed correctly.

I04	Metal finishing	Long term environmental impact if not managed correctly.
I05	Can and drum coating	
I06	Vehicle assembly	
J01	Printing	
K01	Power stations	Long term environmental impact if not managed correctly.
K02	Carbon geosequestration	
K03	Potable water treatment plants	
K04	Water desalination plants	Long term environmental impact if not managed correctly.
L01	General emissions to air	Industry specific. Risk to public health
L02	Contaminated sites—onsite soil containment	Long term environmental impact if not managed correctly.
L03	Tunnel Ventilation Systems	
L04	Contaminated sites—long term management	Long term environmental impact if not managed correctly.

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 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	Where facilities are already covered by an existing license, we believe that works approvals don't offer a whole lot more value than what the existing license conditions already provide.
A04	Industrial wastewater treatment	
A05	Landfills	
A06	Land disposal	
A07	Composting	
A08	Waste to energy	Where facilities are already covered by an existing license, we believe that works approvals don't offer a whole lot more value than what the existing license conditions already provide.
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	
I05	Can and drum coating	
I06	Vehicle assembly	
J01	Printing	
K01	Power stations	
K02	Carbon geosequestration	
K03	Potable water treatment plants	Where a premises is exempt from ongoing licensing we question the benefit or need for a works approval.
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?

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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?

We are not fully aware of the existing compliance performance, reporting and rectification procedures under the current EPA requirements outside our industry to make a call on the success of the current processes. However, it is likely that less compliance management would result in increased risk.

Similarly if there are no works approvals there would be no incentive for industries to use best practice when undertaking works at a site.

The works approval process however is questionable if the premises is already licensed.

Adapting to changes

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	Thresholds could be higher. 5000L per day is basically anything larger than a septic tank.
A04	Industrial wastewater treatment	
A05	Landfills	Is there a misprint or are the two trigger points 500 and 5000 people relevant.
A06	Land disposal	Need clarity around “sewage treatment plant sludge”. It is not clear if biosolids is included in the description under 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	Are there guidelines for discharging solely to land to support the exemption?
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	
I05	Can and drum coating	
I06	Vehicle assembly	
J01	Printing	Missing response in Column 3 and 4
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	

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.

An increased focus on emissions-based triggers would make the regulations more effective.

It provides a basis for a more holistic outcomes based approach to environmental management.

Provides incentive/encouragement for performance optimisation and innovation to remove the need for ongoing licensing or EPA management.

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

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?

In relation to works approval they are considered relevant only in situations where a new license is being applied for. Not for existing licensed sites.

New Elements being considered

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.

EPA's management process would be better aligned with the environmental risks.

EPA could focus on industries that have high environmental risk.

Incentive for companies to improve/enhance environmental management to alleviate regulator oversight.

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.

A site-based license fee would help regulate license fees based on risk and hence provides incentive to lower fees for sites with excellent environmental performance.

Ensures cost recovery for EPA resourcing.

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.

Adoption of the Licensed Operator Risk Assessment would be an improvement to the regulations if applied to our industry. We are not able to comment on improvements to how they are applied to other industries.

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?

Consistency is required around how licenses are enforced and this should be communicated clearly to the license holder.

Majority of licensed premises are sewage treatment and landfill sites. This would take up significant EPA resourcing but the focus may be better spent on higher risk licensees

QUESTION 12:

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

Need to ensure there is no duplication of regulatory requirements between other government organizations (i.e DELWP, EPA, DH, Council, Work Safe etc)

Please return written submissions by 14 December 2015 to:

Email: scheduled.premises@epa.vic.gov.au

Mail:

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Melbourne VIC 3001