

KALGOORLIE-BOULDER WASTE WATER TREATMENT PLANT, EMISSIONS

2560. Hon Nigel Hallett to the Minister for Education and Training representing the Minister for the Environment

I refer to a document I understand is titled 'Environmental Protection Notice' dated January 30 2004 issued to Total Waster Management Pty Ltd concerning the waste treatment plant in Kalgoorlie-Boulder and another brochure titled 'Key reforms of the *Environmental Protection Act 1986*', August 2003 -

- (1) Is it correct that part of this brochure date August 2003 states 'The concept of emissions is extended to include emissions onto the premises so the CEO can stop emissions before they leave the premises and prevent contamination of the premises and groundwater under the site'?
- (2) If no to (1), can the Minister specifically quote the text from the brochure dated August 2003?
- (3) Can the Minister specifically state and define what is an emission referred to in the brochure of August 2003?
- (4) If no to (3), why not?
- (5) Can the Minister state why is there a need under the *Environmental Protection Act 1986* for the CEO or Departmental officer/inspectors to stop emissions before they leave the premises given that for many premises within Western Australia it is reasonable to expect all sorts of emissions to be leaving the boundaries of the premises?
- (6) If no to (5), why not?
- (7) Can the Minister specifically quote the specific text of what other sections of the *Environmental Protection Act 1986* enable the Chief Executive Officer or officers of the Department to stop and prevent emissions before they leave the premises?
- (8) If no to (7), why not?
- (9) Can the Minister state why there is now improved flexibility over the types of conditions that can be imposed in works approvals or licences?
- (10) If no to (9), why not?
- (11) Can the Minister state the reasons why there was limited flexibility over the types of conditions that could be imposed on a works approval or licence prior to the reforms of the *Environmental Protection Act 1986*?
- (12) If no to (11), why not?

Hon LJILJANNA RAVLICH replied:

The Minister for the Environment; Science has provided the following response:

- (1) Yes.
- (2) Not applicable.
- (3) An emission is any discharge of waste (be it gaseous, liquid or solid), an emission of noise, odour or electromagnetic radiation, or transmission of electromagnetic radiation.
- (4) Not applicable.
- (5) There is a need to 'stop emissions' where these are causing, or are likely to constitute an unreasonable emission or cause pollution.
- (6) Not applicable.
- (7) Section 62A of the Environmental Protection Act 1986 provides several examples of conditions that could be attached to a Works Approval or Licence that could be used to stop and prevent emissions before they leave the premises. For example, sub-section (b) states: "Install, or operate any equipment for preventing, controlling, abating or monitoring pollution or environmental harm in accordance with specified criteria. In addition to this, similar requirements can be imposed by the Department of Environment under a Section 65 Environmental Protection Notice or when exercising powers under Section 73.
- (8) Not applicable.
- (9) Section 62A was added to the Environmental Protection Act 1986 to more clearly describe the types of conditions that could be attached to a Works Approval or Licence beyond specific emission control,

- monitoring and reporting conditions. It is now clear that other types of conditions such as the requirement to investigate options and develop management or improvement plans can also be applied.
- (10) Not applicable.
- (11) See (9) above. Prior to the amendments to the Environmental Protection Act 1986, the CEO was constrained in the types of licence conditions which could be imposed under Section 62 of the Act.
- (12) Not applicable.
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