

COCKBURN CEMENT LTD, SULFUR DIOXIDE EMISSIONS

1071. Hon JIM SCOTT to the minister representing the Minister for the Environment:

With reference to the recent admission by the Department of Environmental Protection, which was reported on page 1 of the *Cockburn City Herald* of 9 August 2003, that Cockburn Cement Ltd has breached its sulfur dioxide emission limits for at least the past 18 months -

- (1) Is the minister aware that the responsible Department of Environmental Protection licensing officer, Fabian Styants, has suggested that the Cockburn Cement licence limits relating to sulfur dioxide emissions are unworkable and may require review?
- (2) Will the minister confirm that this means the sulfur dioxide limits will be lowered or removed from the licence by the Department of Environmental Protection to accommodate Cockburn Cement's excessive sulfur dioxide emissions and avoid enforcement action against the same?
- (3) Is the lowering or removal of emission limits from licences now the standard methodology applied by the Department of Environmental Protection to industry licences when a given facility cannot meet the prescribed emission limits?
- (4) In what way is the lowering or removal of emission limits from an industry licence when the facility is breaching those limits, consistent with the Department of Environmental Protection's enforcement and prosecution regime?

Hon TOM STEPHENS replied:

I thank the member for some notice of this question.

- (1) As the honourable member is no doubt aware, the minister initiated an independent audit of Cockburn Cement Ltd's Munster operations and the Department of Environmental Protection's regulation of these premises. The audit was released in August 2002 and highlighted significant deficiencies in both Cockburn Cement Ltd's management and the department's regulation of the site. These deficiencies were largely a result of the previous Government's negligence in adequately resourcing the Department of Environmental Protection to properly regulate this and numerous other premises across the State. This Government has responded by putting in place a number of key initiatives and measures, which the minister announced on 3 May 2003, to redress this unacceptable situation which was the legacy of neglect by our predecessors.

In relation to Cockburn Cement Ltd, the department is addressing all the issues highlighted in the independent audit in a planned, systematic and comprehensive manner, involving full community consultation. Many issues were raised in the audit, including the existence of inadequate and unenforceable conditions of licence, and sulfur dioxide limits are now being redetermined to ensure proper management and regulation of the site. Sulfur dioxide was not considered an immediate priority given the fact that ambient ground level monitoring data recorded at Fanstone Avenue, just north of the Munster operations, showed that sulfur dioxide concentrations were well below both the environmental protection policy limits and the National Environmental Protection Measure standards. Given the fact that the department has been dealing with myriad issues emanating from the audit, it is not unrealistic that it has been focusing its attention on those issues of immediate priority. Issues such as the offsite impact from particulates, heavy metals, dioxins, furans, volatile organic compounds and polyaromatic hydrocarbons were deemed to have been of the highest priority by the community. The department has now assessed these compounds and has deemed that they are well below relevant health guidelines immediately offsite from the plant.

- (2) The licence at Cockburn Cement will continue to have provision for sulfur dioxide monitoring and limits, both directly and through the environmental protection policy for the Kwinana industrial airshed. This will enable proper management and regulation of the site and appropriate enforcement action if the new redetermined sulfur dioxide limits are breached.
- (3) The lowering or removal of emissions limits from licences is not a standard methodology applied by the Department of Environmental Protection. To the contrary, the recent independent review of the licensing policy of the department contained recommendations which included a focus on emissions-based licensing, and these recommendations are being adopted by the department.
- (4) The department does not have a policy of lowering or removing emission limits from licences.