Environmental Protection Amendment Regulations (No. 2) 2021

SL 2021/190

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Environmental Protection Amendment Regulations (No. 2) 2021*.

2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Environmental Protection Regulations 1987*.

4. Part 3A inserted

After regulation 5O insert:

**Part 3A — Use of mercury in manufacturing**

5P. Terms used

In this Part —

*mercury* means elemental mercury (Hg(0), CAS No. 7439-97-6);

*mercury-added product* means a product or product component that contains mercury or a mercury compound that was intentionally added;

*mercury compound* means any substance consisting of atoms of mercury and 1 or more atoms of another chemical element, which can only be separated into different components by a chemical reaction;

*prohibited manufacturing process* —

(a) means a process that uses mercury or a mercury compound to produce any of the following —
(i) acetaldehyde;
(ii) chlor-alkali;
(iii) polyurethane;
(iv) potassium ethylate;
(v) potassium methylate;
(vi) sodium ethylate;
(vii) sodium methylate;
(viii) vinyl chloride monomer;

but

(b) does not include a process that uses a mercury-added product instead of mercury or a mercury compound.

5Q. **Offence to conduct a prohibited manufacturing process**

A person must not conduct a prohibited manufacturing process.

Penalty: a fine of $20 000.


N. HAGLEY, Clerk of the Executive Council.