



New South Wales

Clean Waters Amendment Regulation 1998

under the
Clean Waters Act 1990

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Clean Waters Act 1970*.

PAM ALLAN, M.P..
Minister for the Environment

Explanatory note

The object of this Regulation is:

- (a) to revise the definition of *dangerous goods* by way of law revision to omit a reference to a repealed Act and to replace it with a reference to the *Dangerous Goods Act 1975* (Schedule 1 [1]), and
- (b) to revise the definition of *Standard Methods* by way of law revision to replace an obsolete reference to the latest edition of “Standard Methods for the Examination of Water and Wastewater” and to update references to Standard Methods and include additional test methods by substituting Schedule 1 (Methods of Analysis) to the *Clean Waters Regulations 1972* (Schedule 1 [2] and [6]). and
- (c) to omit Part 2 of the *Clean Waters Regulations 1972* relating to the Clean Waters Advisory Committee by way of law revision as that Committee is defunct (Schedule 1 [3]), and
- (d) to include the Clarence Town and Dungog sewerage systems in the exemption granted from the standard relating to certain protected waters on the condition that discharges from the systems are approved by the Environment Protection Authority (Schedule 1 [4]), and

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- (e) to revise a provision exempting a person who causes pollution merely because of the operation of a vessel's propeller from the commission of an offence by making it clear that the exemption does not apply if certain circumstances apply (including the deliberate operation of the vessel's engine to dredge sediment and the simultaneous discharge of bilge water with the operation of the engine) (Schedule 1 [5]).

This Regulation is made under the *Clean Waters Act 1970*, including sections 11 (Authority may classify waters) and 36 (the general regulation making power).

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1 Name of Regulation

This Regulation is the *Clean Waters Amendment Regulation 1998*.

2 Commencement

This Regulation commences on 28 February 1998.

3 Amendment of Clean Waters Regulations 1972

The *Clean Waters Regulations 1972* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Regulation 2 Definitions

Omit the definition of *dangerous goods*. Insert instead:

dangerous goods has the same meaning as in the *Dangerous Goods Act 1975*.

[2] Regulation 2 (1), definition of Standard Methods

Omit “(14th edition, 1975)” from the definition.
Insert instead “(19th edition, 1995)”.

[3] Part 2

Omit the Part.

[4] Regulation 10 Exemption for certain protected waters

Insert “Clarence Town. Dungog,” after “urban areas in” in Regulation 10 (1).

[5] Regulation 20A

Omit the Regulation. Insert instead:

20A Pollution of waters by operation of ship's engine

A person who pollutes any waters or causes or permits any waters to be polluted merely because of the person's causing or permitting to be operated an engine propelling a ship, boat or other vessel is not guilty of an offence against section 16 of the Act if:

- (a) the engine is not deliberately operated to dredge sediments, and
- (b) the engine has not been modified to discharge bilge water simultaneously with the operation of the engine, and
- (c) the engine has been properly maintained to minimise pollution.

[6] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Methods of analysis

A reference in this Schedule to a section designated by a number, or by a number and a letter, is a reference to the section designated by that permanent number, or by that permanent number and letter, in Standard Methods. A reference other than Standard Methods is indicated by citation referring to the references following the methods.

<i>Arsenic</i>	Section 3113B, section 3114B, section 3114C, section 3120B. section 3500-As C or USEPA Method 200.8 (USEPA, 1991a).
<i>Barium</i>	Section 3111D, section 3113B, section 3120B or USEPA Method 200.8 (USEPA, 1991a).
<i>Biochemical Oxygen Demand</i>	Section 5210B using the azide modification of the iodometric method (section 4500-O C) or the membrane electrode method (section 4500-O G) for the determination of the dissolved oxygen.
<i>Boron</i>	Section 3120B, section 3500-B B or section 3500-B C.
<i>Cadmium</i>	Section 3111B, section 3111C, section 3113B, section 3120B or USEPA Method 200.8 (USEPA, 1991a).
<i>Chemical Oxygen Demand</i>	Section 5220B, section 5220C or section 5220D.

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<i>Chloride</i>	Section 4500-CI-B, section 4500-CI-D or section 4500-CI-F.
<i>Coliforms</i>	Section 9221B, section 9221E, section 9222B or section 9222D.
<i>Chromium (Hexavalent)</i>	Section 3500-Cr.D or section 3500-Cr.E.
<i>Copper</i>	Section 3111B, section 3113B, section 3120B or USEPA Method 200.8 (USEPA, 1991).
<i>Cyanide</i>	Preliminary distillation section 4500-CN-C followed by section 4500-CN-D, section 4500-CN-E or section 4500-CN-F.
<i>Dissolved Oxygen</i>	Section 4500-OC or section 4500-OG.
<i>Fluoride</i>	Section 4110B, section 4110C, section 4500-F-C or section 4500-F-D.
<i>Iron (Dissolved)</i>	Section 3111B, section 3113B, section 3120B or USEPA Method 200.8 (USEPA, 1991).
<i>Lead</i>	Section 3111B, section 3111C, section 3113B, section 3120B or USEPA Method 200.8 (USEPA, 1991).
<i>Manganese (Dissolved)</i>	Section 3111B, section 3113B, section 3120B or USEPA Method 200.8 (USEPA, 1991).
<i>Mercury</i>	Section 3112B or USEPA Method 200.8 (USEPA, 1991).

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<i>Nitrogen-ammonia</i>	Preliminary distillation section 4500-NH ₃ B followed by section 4500-NH ₃ E, section 4500-NH ₃ C, section 4500-NH ₃ D, section 4500-NH ₃ F or section 4500-NH ₃ H.
<i>Nitrogen-nitrate</i>	Section 4110B, section 4110C, section 4500-NO ₃ ⁻ D, section 4500-NO ₃ ⁻ E or section 4500-NO ₃ ⁻ F.
<i>Nitrogen-nitrite</i>	Section 4110B, section 4110C, section 4500-NO-B or section 4500-NOT-F (with cadmium column removed).
<i>Nitrogen-organic</i>	Section 4500-N _{org} B, section 4500-N _{org} C or Jirka modification (Jirka. 1976).
<i>Oil and Grease</i>	Section 5220B, section 5220C or section 5220D.
<i>Organic carbon (Total)</i>	Section 5310B, section 5310C or section 5310D.
<i>Pentachlorophenol and its sodium salt</i>	Section 6410B, section 6420B or approved reverse phase HPLC method with electrochemical detection.
<i>Pesticides:</i>	
<i>(a) Organochlorine pesticides</i>	Section 6630B, section 6630C or section 6410B.
<i>(b) Organophosphorus pesticides</i>	USEPA Method 8141 (USEPA. 1989).
<i>(c) Carbamate pesticides</i>	Section 6610.
<i>(d) Acrolein</i>	USEPA Method 603 (40 CFR, 1993) or other approved Chromatographic procedure.
<i>pH value</i>	Section 4500-H ⁺ B.

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<i>Phenols</i>	Preliminary distillation section 5530B followed by section 5530C, section 5530D, section 6410B, section 6420B or approved reverse phase HPLC method with electrochemical detection.
<i>Phosphorus (Dissolved reactive)</i>	Section 4110B, section 4110C, section 4500-P C, section 4500-P D, section 4500-P E or section 4500-P F.
<i>Phosphorus (Total)</i>	Persulfate digestion section 4500-P.B5 or Jirka modification (Jirka, 1976) followed by section 4110B, section 4110C, section 4500-P.C, section 4500-P.D, section 4500-P.E or section 3500-P.F.
<i>Polychlorinated biphenyls</i>	Section 6630B, section 6630C or section 6410B
<i>Radioactive Substances:</i>	
<i>(a) Gross alpha activity</i>	Section 7110B.
<i>(b) Gross beta activity</i>	Section 7110B.
<i>Selenium</i>	Section 3113B, section 3114B, section 3114C, section 3120B, section 3500-Se.D or USEPA Method 200.8 (USEPA, 1991).
<i>Silver</i>	Section 3111B, section 3113B, section 3120B or USEPA Method 200.8 (USEPA. 1991).
<i>Substituted Phenols and Cresols</i>	Approved reverse phase HPLC method with electrochemical detection.
<i>Sulfate</i>	Section 4110B, section 4110C, section 4500-SO ₄ ²⁻ -C, section 4500-SO ₄ ²⁻ -D, section 4500-SO ₄ ²⁻ -E or section 4500-SO ₄ ²⁻ -F.

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<i>Temperature</i>	Section 2550B.
<i>Total dissolved solids dried at 180 °C</i>	Section 2540C.
<i>Total suspended solids dried at 103-105 °C</i>	Section 2540D.
<i>Weedicides:</i>	
<i>(a) Chlorinated phenoxy acid herbicides</i>	Section 6640B or an approved reverse phase HPLC method with diode array detection.
<i>(b) Phenyl ureas, triazines, amides, and dipyrityls</i>	US NPS Method 4 or an approved reverse phase HPLC method with diode array detection.
<i>(c) Quaternary salts, paraquat & Diquat.</i>	USEPA Method 549.1 or an approved reverse phase HPLC method with diode array detection.
<i>Zinc</i>	Section 3111B, section 3113B, section 3120B or USEPA Method 200.8 (USEPA. 1991)

References

Jirka, A M et al. 1976. Ultra-micro semi-automated method for simultaneous determination of total phosphorus and total kjeldahl nitrogen in wastewaters. *Environmental Science and Technology*. 10:10.

Standards Association of Australia. 1987. *AS 3506-1987: Waters—Determination of filterable synthetic anionic surfactants—copper-ethylenediamine flame atomic absorption spectrometric method*. North Sydney, NSW.

United States Environmental Protection Agency. 1987. *Test methods for evaluating solid waste Physical/Chemical methods. SW-846, third edition*. Washington, DC.

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Schedule 1 Amendments

United States Environmental Protection Agency. 1989.
*Methods for the determination of organic compounds in
drinking water (EPA/600 4-88/039)*. Cincinnati Ohio.

United States Environmental Protection Agency. 1991.
*Methods for the determination of metals in
environmental samples (EPA/600 4-91/010)*. Cincinnati,
Ohio.