New South Wales

Clean Air (Plant and Equipment) Regulation 1997

under the

Clean Air Act 1961

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Clean Air Act 1961*.

PAM ALLAN, M.P.,

Minister for the Environment

Explanatory note

The object of this Regulation is to repeal and remake those provisions of the *Clean Air Regulations 1964* that relate to plant and equipment. The new Regulation deals with the following matters:

(a) maximum emission levels under section 15 of the Act (scheduled premises) with respect to sulphur, chlorine, fluorine, oxides of nitrogen, hazardous substances, solid particles, smoke, soot, dioxins and furans (clauses 7, 9, 10, 11, 12, 13, 15, 17 and 19),

(b) maximum emission levels under section 19 of the Act (non-scheduled premises) with respect to solid particles, smoke and soot (clauses 14, 16 and 18),

(c) the use of high sulphur liquid fuels (clause 8),

(d) the transport and storage of volatile organic liquids (Part 10, clauses 20–26),

(e) other matters of a minor, consequential or ancillary nature (Parts 1 and 11).

This Regulation is made under the *Clean Air Act 1961*, including section 34 (the general regulation making power) and sections 5, 21A, 21EA, 21H, 21I, 21J, 21L, 21M and 21N.

Published in Gazette No 86 of 1 August 1997, page 5883

This Regulation adopts the *Manual ofAir Quality Testing* published by the Environment Protection Authority.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989.*

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Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Clean Air (Plant and Equipment) Regulation 1997*.

2 Commencement

This Regulation commences on 1 August 1997.

3 Definitions

In this Regulation:

Central Coast Metropolitan Area means the area constituted by the local government areas of Gosford and Wyong.

development and ***development application*** have same meanings as they have in the *Environmental Planning and Assessment Act 1979*.

Director-General means Director-General of the Authority.

incinerator means any structure or part of a structure used to dispose of combustible refuse by burning.

Newcastle Metropolitan Area means the area constituted by the local government areas of Lake Macquarie and Newcastle.

resulting gas, in relation to air impurities arising from the conduct of any trade, industry or process, or the operation of any fuel burning equipment or industrial plant, means any gas or vapour that is released to the atmosphere as a result of the conduct of that trade, industry or process, or the operation of that fuel burning equipment or industrial plant.

sell includes supply for sale, exhibit or offer for sale, have in possession for sale or for distribution for sale and conduct negotiations for sale.

Sydney Metropolitan Area means the area constituted by the local government areas of Ashfield, Auburn, Bankstown, Baulkham Hills, Blacktown, Botany Bay, Burwood, Camden, Campbelltown, Canterbury, Concord, Drummoyne, Fairfield, Hawkesbury, Holroyd, Hornsby, Hunters Hill, Hurstville, Kogarah, Ku-ring-gai, Lane Cove, Leichhardt, Liverpool, Manly, Marrickville, Mosman, North Sydney, Parramatta, Penrith, Pittwater, Randwick, Rockdale, Ryde, South Sydney, Strathfield, Sutherland, Sydney, Warringah, Waverley, Willoughby and Woollahra.

TestMethod, together with a number, means a test method of that number prescribed by the document entitled *Manual of Air Quality Testing,* published by the Authority, and as in force on 1 August 1997, copies of which are available for inspection and purchase at the offices of the Authority.

the Act means the *Clean Air Act 1961*.

Wollongong Metropolitan Area means the area constituted by the local government areas of Shellharbour and Wollongong.

4 Emission points

For the purposes of sections 15 and 19 of the Act, the point at which the standard of concentration or rate of emission of air impurities resulting from the conduct of any trade, industry or process, or the operation of any fuel burning equipment or industrial plant, is not to be exceeded, as referred to in those sections, is a point, determined in accordance with the relevant Test Method, between:

(a) the point of origin of the air impurities, that is:

  (i) the point where the air impurities originate, or

  (ii) if the air impurities subsequently pass through any control equipment, the point where the air impurities emerge from that equipment, and

(b) the point of release of the air impurities, that is:

  (i) the point where the air impurities pass into the atmosphere, or

  (ii) if air, gas or vapour is added to the air impurities before that point, the point immediately before the point where the air, gas or vapour is added.

5 Exclusion of small boilers

This Regulation does not apply to any boiler whose heating capacity (as determined by the apparatus by which it is heated) is less than 100 megajoules per hour.

6 Notes

The explanatory note and table of contents do not form part of this Regulation.

Part 2 Sulphur

7 Sulphur emissions from scheduled premises: section 15

(1) For the purposes of section 15 (1) of the Act, the standard of concentration for emissions of a sulphur compound referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration set out in Column 3 of that Table, as measured in accordance with Test Method 3, 4 or 5 (whichever is relevant to the compound concerned).

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which:

(a) no pollution control approval has been granted, or

(b) a pollution control approval has been granted on the basis of an application made before 1 January 1972.

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1 January 1972.

Table A: No pollution control approval or pollution control approval where application for approval made before 1 January 1972

Column 1	Column 2	Column 3
Sulphuric acid mist (H2O4) or sulphur trioxide (SO3). or both	Any trade, industry or process	0.2 grams of SO3 (or SO3 equivalent) per cubic metre of the resulting gases
Sulphur dioxide (SO2)	Any trade, industry or process manufacturing sulphuric acid otherwise than from elemental sulphur	7.2 grams of SO2 per cubic metre of the resulting gases
	Any trade. industry or process manufactunng sulphuric acid from elemental sulphur	5.6 grams of SO2 per cubic metre of the resulting gases
Hydrogen sulphide (H2S)	Any trade. industry or process	0.005 grams of H2S per cubic metre of the resulting gases

Table B: Application for pollution control approval made on or after 1 January 1972

Column1	Column 2	Column 3
Sulphuric acid mist (H2SO4) or sulphur trioxide (SOj), or both	Any trade, industry or process	0.1 grams of SO3 (or SO3 equivalent) per cubic metre of the resulting gases
Sulphur dioxide (SO3))	Any trade, industry or process manufacturing sulphuric acid otherwise than from elemental sulphur	7.2 grams of SO2 per cubic metre of the resulting gases
	Any trade. industry or process manufacturing sulphuric acid from elemental sulphur	2.8 grams of SO2 per cubic metre of the resulting gases
Hydrogen sulphide (H25)	Any trade, industry or process	0.005 grams of H2S per cubic metre of the resulting gases

8 Restrictions on use of high sulphur liquid fuel

(1) A person must not, anywhere in the Sydney, Wollongong, Newcastle or Central Coast Metropolitan Area, operate any fuel burning equipment with liquid fuel having a sulphur content of more than 0.5 per cent by weight, as measured in accordance with Test Method 6.

Maximum penalty: 200 penalty units (in the case of a corporation) and 40 penalty units (in any other case).

(2) A person must not, anywhere outside the Sydney, Wollongong, Newcastle or Central Coast Metropolitan Area, operate any fuel burning equipment with liquid fuel having a sulphur content of more than 2.5 per cent by weight, as measured in accordance with Test Method 6.

Maximum penalty: 200 penalty units (in the case of a corporation) and 40 penalty units (in any other case).

(3) This clause does not prevent a person from operating fuel burning equipment with liquid fuel having a sulphur content in excess of a limit imposed by subclause (1) or (2) in the following circumstances:

(a) circumstances in which the emissions of sulphur compounds to the atmosphere arising from the operation of the equipment are restricted (by means of control

equipment or otherwise) in such a manner that they are no greater than they would be if the equipment were operated (in the absence of any such restriction) with fuel having a sulphur content within the relevant limit,

(b) circumstances in which the liquid fuel is used for the lighting-up or flame-stabilising of fuel burning equipment designed primarily to burn solid fuel and the sulphur content of the liquid fuel is no more than 2.5 per cent by weight,

(c) circumstances in respect of which the person operating the fuel burning equipment holds a written exemption issued by the Authority, being circumstances that, in the opinion of the Authority, are special circumstances in respect of the fuel burning equipment or the premises in which the fuel burning equipment is installed,

(d) circumstances in which:

(i) the emissions of sulphur compounds to the atmosphere arising from the operation of the fuel burning equipment are restricted (by means of control equipment or otherwise) in accordance with the requirements of a licence referred to in section 17A (a) of the *Pollution Control Act 1970,* and

(ii) the fuel has a sulphur content within the limits imposed by that licence.

(4) It is a defence to a prosecution for an offence arising under this clause if the defendant establishes that:

(a) the fuel burning equipment was being operated with liquid fuel supplied under an order placed by the defendant for liquid fuel conforming to the relevant requirements of this clause, and

(b) the defendant had reasonable grounds to believe, and did in fact believe, that the sulphur content of the liquid fuel conformed to those requirements.

Part 3 Halogens

9 Chlorine emissions from scheduled premises: section 15

(1) For the purposes of section 15 (1) of the Act, the standard of concentration for emissions of a chlorine compound referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration set out in Column 3 of that Table, as measured in accordance with Test Method 7 or 8 (whichever is relevant to the compound concerned).

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which:

(a) no pollution control approval has been granted, or

(b) a pollution control approval has been granted on the basis of an application made before 1 January 1972,

other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (4).

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1 January 1972, other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (4).

(4) Table C is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant situated on:

(a) scheduled premises in respect of which the Authority has, before 31 December 1996, informed the occupier in writing that, as from 1 August 1997, those premises will have to comply with requirements similar or identical to those set out in that Table, and

(b) any premises that become scheduled premises on or after 1 August 1997, other than premises in respect of which a development application has been made before that date to carry out development which has resulted in those premises becoming scheduled premises.

Table A: No pollution control approval or pollution control approval where application for approval made before 1 January 1972

Column 1	Column 2	Column 3
Chlorine (Cl2)	Any trade, industry or process	0.2 grams of Cl2 per cubic metre of the resulting gases
Hydrogen chloride (HCI)	Any trade, industry or process, other than the manufacture of glazed terracona roofing tiles	0.4 grams of HCI per cubic metre of the resulting gases

Table B: Application for pollution control approval made on or after 1 January 1972

Column 1	Column 2	Column 3
Chlorine (CI2)	Any trade, industry or process	0.2 grams of CI2 per cubic metre of the resulting gases
Hydrogen chloride (HCI)	Any trade, industry or process, other than the manufacture of glazed terracotta rooting tiles	0.4 grams of HCI per cubic metre of the resulting gases

Table C: Premises that become scheduled premises on or after 1 August 1997

Column 1	Column 2	Column 3
Chlorine (CI2)	Any trade, industry or process	0.2 grams of CI2 per cubic metre of the resulting gases
Hydrogen chloride (HCI)	Any trade, industry or process	0.1 grams of HCI per cubic metre of the resulting gases

10 Fluorine emissions from scheduled premises: section 15

(1) For the purposes of section 15(1) of the Act, the standard of concentration for emissions of a fluorine compound referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration set out in Column 3 of that Table, as measured in accordance with Test Method 9 or 10 (whichever is relevant in the circumstances).

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which:

(a) no pollution control approval has been granted, or

(b) a pollution control approval has been granted on the basis of an application made before 1 January 1972,

other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (5).

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1 January 1972 but before 1 July 1979, other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (5).

(3) Table C is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1 July 1979, other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (5).

(4) Table D is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant situated on:

(a) scheduled premises in respect of which the Authority has, before 31 December 1996, informed the occupier in writing that, as from 1 August 1997, those premises will have to comply with requirements similar or identical to those set out in that Table, and

(b) any premises that become scheduled premises on or after 1 August 1997, other than premises in respect of which a development application has been made before that date to carry out development which has resulted in those premises becoming scheduled premises.

Table A: No pollution control approval or pollution control approval where application for approval made before 1 January 1972

Column 1	Column 2	Column 3
Any fluorine compound	Any trade, industry or process. other than the manufacture of aluminium from alumina	0.1 grams of HF (or HF equivalent) per cubic metre of the resulting gases
	Any trade, industry or process manufacturing aluminium from alumina	0.04 grams of HF (or HF equivalent) per cubic metre of the resulting gases

Table B: Application for pollution control approval made on or after 1 January 1972 and before 1 July 1979

Column 1	Column 2	Column 3
Any fluorine compound	Any trade, industry or process. other than the manufacture of aluminium from alumina	0.05 grams of HF (or HF equivalent) per cubic metre of the resulting gases
	Any wade, industry or process manufacturing aluminium from alumina	0.02 grams of HF (or HF equivalent) per cubic metre of the resulting gases

Table C: Application for pollution control approval made on or after 1 July 1979

Column 1	Column 2	Column 3
Any fluorine compound	Any trade, industry or process, other than a primary aluminium smelter manufacturing aluminium from alumina	0.05 grams of HF (or HF equivalent) per cubic metre of the resulting gases
	Any primary aluminium smelter manufacturing aluminium from alumina	1.0 kilograms of HF (or HF equivalent) per tonne of aluminium produced

Table D: Premises that become scheduled premises on or after 1 August 1997

Column 1	Column 2	Column 3
Any fluorine compound	An) trade, industry or process. other than a primary aluminium smelter manufactunng aluminium from alumina	0.05 grams of HF (or HF equivalent) per cubic metre of the resulting gases
	Any primary aluminium smelter manufactunng aluminium from alumina	0.8 kilogram of HF (or HF equivalent) per tonne of aluminium produced

Part 4 Oxides of nitrogen

11 Oxides of nitrogen emissions from scheduled premises: section 15

(1) For the purposes of section 15 (1) of the Act, the standard of concentration for emissions of an oxide of nitrogen referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration set out in Column 3 of that Table, as measured in accordance with Test Method 11.

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which:

(a) no pollution control approval has been granted, or

(b) a pollution control approval has been granted on the basis of an application made before 1 January 1972,

other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (4).

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1 January 1972, other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (4).

(4) Table C is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant situated on:

(a) scheduled premises in respect of which the Authority has, before 31 December 1996, informed the occupier in writing that, as from 1 August 1997, those premises will have to comply with requirements similar or identical to those set out in that Table, and

(b) any premises that become scheduled premises on or after 1 August 1997, other than premises in respect of which a development application has been made before that date to carry out development which has resulted in those premises becoming scheduled premises.

Table A: No pollution control approval or pollution control approval where application for approval made before 1 January 1972

Column 1	Column 2	Column 3
Nitrogen dioxide (NO2) or nitric oxide (NO), or both	Any trade, industry or process, other than the manufacture of glass using sodium nitrate (NaNO3)	2.5 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any trade, industry or process for the manufacture of glass using sodium nitrate (NaN03)	4.0 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases

Table B: Application for pollution control approval made on or after 1 January 1972

Column 1	Column 2	Column 3
Nitrogen dioxide (NO2) or nitric oxide (NO), or both	Any trade, industry or process, other than the manufacture of glass using sodium nitrate (NaN03)	2.5 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any trade, industry or process for the manufacture of glass using sodium nitrate (NaN03)	4.0 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases

Table C: Premises that become scheduled premises on or after 1 August 1997

Column 1	Column 2	Column 3
Nitrogen dioxide (NO2) or nitric oxide (NO), or both	Any trade. industry or process. other than the manufacture of glass using sodium nitrate (NaN03)	2.0 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any trade. industry or process for the manufacture of glass using sodium nitrate (NaN03)	4.0 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any boiler operating on gas	0.35 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases

Table C: Premises that become scheduled premises on or after 1 August 1997—continued

Column 1	Column 2	Column 3
	Any boiler operating on a fuel other than gas, other than a boiler used in connection with an electricity generator that forms part of an electricity generating system	0.5 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any boiler operating on a fuel other than gas. being a boiler used in connection with an electricity generator that forms pan of an electricity generating system with a capacity of less than 30 megawatts	0.5 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any boiler operating on a fuel other than gas, being a boiler used in connection with an electricity generator that forms pan of an electricity generating system with a capacity of 30 megawatts or more	0.8 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any gas turbine operating on gas, being a turbine used in connection with an electricity generating system with a capacity of less than 10 megawatts	0.09 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any gas turbine operating on gas, being a turbine used in connection with an electricity generating system with a capacity of 10 megawatts or more	0.07 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any gas turbine operating on a fuel other than gas, being a turbine used in connection with an electricity generating system with a capacity of less than 10 megawatts	0.09 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases
	Any gas turbine operating on a fuel other than gas, being a turbine used in connection with an electricity generating system with a capacity of 10 megawatts or more	0.15 grams of NO2 (or NO2 equivalent) per cubic metre of the resulting gases

Part 5 Hazardous substances

12 Hazardous substance emissions from scheduled premises: section 15

(1) For the purposes of section 15 (1) of the Act, the standard of concentration for emissions of a Type 1 or Type 2 substance referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration set out in Column 3 of that Table, as measured in accordance with Test Method 12, 13 or 14 (whichever is relevant to the substance concerned).

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which:

(a) no pollution control approval has been granted, or

(b) a pollution control approval has been granted on the basis of an application made before 1 January 1972,

other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (5).

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1 January 1972 but before 1 July 1986, other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (5).

(4) Table C is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1 July 1986, other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (5).

(5) Table D is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or 'industrial plant situated on:

(a) scheduled premises in respect of which the Authority has, before 31 December 1996, informed the occupier in writing that, as from 1 August 1997, those premises will have to comply with requirements similar or identical to those set out in that Table, and

(b) any premises that become scheduled premises on or after 1 August 1997, other than premises in respect of which a development application has been made before that date to carry out development which has resulted in those premises becoming scheduled premises.

(6) In this clause:

Type 1 element means antimony, arsenic, cadmium, lead or mercury.

Type 1 substance means any Type 1 element or any compound of which a Type 1 element forms part.

Type 2 element means beryllium, chromium (hexavalent only), cobalt, manganese, nickel, selenium, tin or vanadium.

Type 2 substance means any Type 2 element or any compound of which a Type 2 element forms part.

Table A: No pollution control approval or pollution control approval where application for approval made before 1 January 1972

Column 1	Column 2	Column 3
Type 1 substance (Sb, As, Cd, Pb or Hg)	Any trade, industry or process	20.0 milligrams (in aggregate) of Type 1 elements per cubic metre of the resulting gases

Table B: Application for pollution control approval made on or after 1 January 1972 and before 1 July 1986

Column 1	Column 2	Column 3
Type 1 substance (Sb, As, Cd, Pb or Hg)	Any trade, industry or process	20.0 milligrams (in aggregate) of Type 1 elements per cubic metre of the resulting gases

Table C: Application for pollution control approval made on or after 1 July 1986

Column 1	Column 2	Column 3
Type 1 substance (Sb, As, Cd, Pb or Hg)	Any trade, industry or process	10.0 milligrams (in aggregate) of Type 1 elements, and 3.0 milligrams (individually) of cadmium or mercury, per cubic metre of the resulting gases

Table D: Premises that become scheduled premises on or or after 1 August 1997

Column 1	Column 2	Column 3
Type 1 or Type 2 substance (Sb, As, Be, Cd, Cr, Co, Pb, Mn, Hg, Ni, Se, Sn or V)	Any trade, industry or process	5.0 milligrams (in aggregate) of Type 1 and Type 2 elements, and 1.0 milligrams (individually) of cadmium or mercury, per cubic metre of the resulting gases

Part 6 Solid particles

13 Solid particle emissions from scheduled premises: section 15

(1) For the purposes of section 15 (1) of the Act, the standard of concentration for solid particle emissions referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration set out in Column 3 of that Table, as measured in accordance with Test Method 15.

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which:

(a) no pollution control approval has been granted, or

(b) a pollution control approval has been granted on the basis of an application made before 1 January 1972,

other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (4).

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1January 1972, other than any trade, industry, process, fuel burning equipment or industrial plant referred to in subclause (4).

(4) Table C is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant situated on:

(a) scheduled premises in respect of which the Authority has, before 31 December 1996, informed the occupier in writing that, as from 1 August 1997, those premises will have to comply with requirements similar or identical to those set out in that Table, and

(b) any premises that become scheduled premises on or after 1 August 1997, other than premises in respect of which a development application has been made before that date to carry out development which has resulted in those premises becoming scheduled premises.

Table A: No pollution control approval or pollution control approval where application for approval made before 1 January 1972

Column 1	Column 2	Column 3
All solid particle emissions	Any trade, industry or process and any fuel burning equipment or industrial plant, other than industrial plant (not being a cold blast cupola) used for heating metals	400 milligrams of solid particles per cubic metre of the resulting gases
	Any industrial plant (not being a cold blast cupola) used for heating metals	250 milligrams of solid particles per cubic metre of the resulting gases

Table B: Application for pollution control approval made on or after 1 January 1972

Column 1	Column 2	Column 3
All solid particle emissions	Any trade, industry or process and any fuel burning equipment or industrial plant, other than industrial plant (not being a cold blast cupola) used for heating metals	250 milligrams of solid particles per cubic metre of the resulting gases
	Any industrial plant (not being a cold blast cupola) used for heating metals	200 milligrams of solid particles per cubic metre of the resulting gases

Table C: Premises that become scheduled premises on or after 1 August 1997

Column 1	Column 2	Column 3
All solid panicle emissions	Any trade. industry or process. and any fuel burning equipment or industrial plant	100 milligrams of solid particles per cubic metre of the resulting gases

14 Solid particle emissions from non-scheduled premises: section 19

(1) For the purposes of section 19 (1) of the Act, the standard of concentration for solid particle emissions referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration set out in Column 3 of that Table, as measured in accordance with Test Method 15.

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant:

(a) that first came into operation before 1 August 1997, or

(b) that first came into operation on or after 1 August 1997 as a result of a development application made before that date.

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant that first came into operation on or after 1 August 1997 as a result of a development application made on or after that date.

Table A: Operation commenced before 1 August 1997

Column 1	Column 2	Column 3
All solid panicle emissions	Any trade. industry or process and any fuel burning equipment or industrial plant	400 milligrams of solid panicles per cubic metre of the resulting gases

Table B: Operation commenced on or after 1 August 1997

Column 1	Column 2	Column 3
All solid panicle emissions	Any trade. industry or process and any fuel burning equipment or industrial plant	250 milligrams of solid panicles per cubic metre of the resulting gases

Part 7 Smoke emission

15 Smoke emissions from scheduled premises: section 15

(1) For the purposes of section 15 (1) of the Act, the standard of concentration for smoke emissions referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration indicated in Column 3 of that Table as Ringelmann 1,2,or3,as measured in accordance with Test Method 16.

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which:

(a) no pollution control approval has been granted, or

(b) a pollution control approval has been granted on the basis of an application made before 1 January 1972.

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant in respect of which a pollution control approval has been granted on the basis of an application made on or after 1 January 1972.

Table A: No pollution control approval or pollution control approval where application for approval made before 1 January 1972

Column 1	Column 2	Column 3
All smoke emissions	Any solid fuel tired fuel burning equipment (except ceramic kilns) or industrial plant and any trade, industry or process in or in connection with which solid fuel is burnt	A concentration no darker than Ringelmann 2, except that the concentration may be darker (but not so as to exceed Ringelmann 3): (a) for up to 20 minutes in any period of 24 hours, for lighting a boiler or incinerator from cold, or

Table A: No pollution control approval or pollution control approval where application for approval made before 1 January 1972—continued

Column 1	Column 2	Column 3
		(b) for up to: (i) 10 minutes in any period of 8 hours (in the case of boilers burning up to one tonne of fuel per hour), or (ii) 20 minutes in any period of 8 hours (in the case of boilers burning more than one tonne but less than 5 tonnes of fuel per hour), or (iii) 30 minutes in any period of 8 hours (in the case of boilers burning more than 5 tonnes of fuel per hour), for blowing soot from a boiler, but only so long as all practicable means are employed to prevent or minimise the emission of air impurities
	Any liquid or gas fired fuel burning equipment (except ceramic kilns) or industrial plant or any trade, industry or process in or in connection with which liquid or gas is burnt	A concentration no darker than Ringelmann 1, except that the concentration may be darker (but not so as to exceed Ringelmann 3) for marine vessels: (a) while approaching, leaving or manoeuvring at a berth, or (b) for up to 30 minutes in any period of 24 hours, for lighting a boiler. but only so long as all practicable means are employed to prevent or minimise the emission of air impurities
	Ceramic kilns (other than those used for firing dark red or dark brown face bricks formed by dry press brick machines)	A concentration no darker than Ringelmann 2, except that the concentration may be darker (but not so as to exceed Ringelmann 3) for up to 10 minutes in any one hour, but only so long as all practicable means are employed to prevent or minimise the emission of ar impurities
	Ceramic kilns used for firing dark red or dark brown face bricks formed by dry press brick machines	A concentration no darker than Ringelmann 3

Table B: Application for pollution control approval made on or after 1 January 1972

Column 1	Column 2	Column 3
All smoke emissions	Any trade, industry or process and any fuel burning equipment or industrial plant	A concentration no darker than Ringelmann 1 except that the concentration may be darker (but not so as to exceed Ringelmann 3): (a) for marine vessels: (i) while approaching, leaving or manoeuvring at a berth, or (ii) for up to 10 minutes in any period of 8 hours. for lighting a hoiler, and (b) in any other case (where the fuel is solid fuel), for up to 10 minutes in any period of 8 hours for lighting a boiler or incinerator or blowing soot. but only so long as all practicable means are employed to prevent or minimise the emission of air impurities

16 Smoke emissions from non-scheduled premises: section 19

(1) For the purposes of section 19 (1) of the Act, the standard of concentration for smoke emissions referred to in Column 1 of the appropriate Table to this clause by:

(a) a trade, industry or process, or

(b) fuel burning equipment or industrial plant,

referred to in Column 2 of that Table is the concentration indicated in Column 3 of that Table as Ringelmann 1, 2 or 3, as measured in accordance with Test Method 16.

(2) Table A is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant:

(a) that first came into operation before 1 August 1997, or

(b) that first came into operation on or after 1 August 1997 as a result of a development application made before that date.

(3) Table B is the appropriate Table in relation to any trade, industry, process, fuel burning equipment or industrial plant that first came into operation on or after 1 August 1997 as a result of a development application made on or after that date.

Table A: Operation commenced before 1 August 1997

Column 1	Column 2	Column 3
All smoke emissions	Any solid fuel fired fuel burning equipment or industrial plant and any trade, industry or process in or in connection with which solid fuel is burnt	A concentration no darker than Ringelmann 2, except that the concentration may be darker (but not so as to exceed Ringelmann 3): (a) for up to 20 minutes in any period of 24 hours, for lighting a boiler or incinerator from cold, and (b) for up to 10 minutes in any period of 8 hours for blowing soot from a boiler, but only so long as all practicable means are employed to prevent or minimise the emission of air impurities
	Any liquid or gas fuel fired fuel burning quipmnt or industrial plant or any trade, industry or process in or in connection with which liquid or gas fuel is burnt	A concentration no darker than Ringelmann 1

Table B: Operation commenced on or after 1 August 1997

Column 1	Column 2	Column 3
All smoke emissions	Any solid fuel fired fuel burning equipment or industrial plant and any trade, industry or process in or in connection with which solid fuel is burnt	A concentration no darker than Ringelmann 1, except that the concentration may be darker (but not so as to exceed Ringelmann 3): (a) for up to 20 minutes in any period of 24 hours, for lighting a boiler or incinerator from cold, and (b) for up to 10 miniutes in any period of 8 hours for blowing soot from a boiler, but only so long as all practicable means are employed to prevent or minimise the emission of air impunties
	Any liquid or gas fuel fired fuel burning equipment or industrial plant or any trade. industry or process in or in connection with which liquid or gas fuel is burnt	A concentration no darker than Ringelmann 1

Part 8 Soot emission

17 Soot emissions from scheduled premises: section 15

For the purposes of section 15 (1) of the Act, the standard of concentration for soot emissions by:

(a) any trade, industry or process, or

(b) any fuel burning equipment or industrial plant,

is the concentration indicated as Shade 3, as measured in accordance with Test Method 17.

18 Soot emissions from non-scheduled premises: section 19

For the purposes of section 19 (1) of the Act, the standard of concentration for soot emissions by:

(a) any trade, industry or process, or

(b) any fuel burning equipment or industrial plant,

is the concentration indicated as Shade 3, as measured in accordance with Test Method 17.

Part 9 Dioxins and furans

19 Dioxin and furan emissions from municipal incinerator sites: section 15

(1) This clause applies to the following municipal incinerator sites:

(a) any municipal incinerator site in respect of which the Authority has, before 31 December 1996, informed the occupier in writing that, as from 1 August 1997, the site will have to comply with requirements similar or identical to those set out in the Table to this clause,

(b) any premises that become a municipal incinerator site on or after 1 August 1997, other than premises in respect of which a development application has been made before that date to carry out development for the purposes of a municipal incinerator.

(2) For the purposes of section 15 (1) of the Act, the standard of' concentration for emissions of air impurities in the form of dioxins and furans is 0.1 nanograms per cubic metre, where:

(a) the mass of dioxins and furans is measured, in accordance with Test Method 18, as the sum of all amounts of dioxins and furans referred to in Column 1 of the Table to this clause,

(b) each amount referred to in paragraph (a) is multiplied by the relevant International Toxic Equivalence Factor set out in Column 2 of that Table.

(3) In this clause:

municipal incinerator means an incinerator that processes domestic waste (that is, waste arising from domestic premises), whether or not the incinerator also processes any other form of waste.

municipal incinerator site means scheduled premises containing a municipal incinerator.

Table

Column 1	Column 2
Dioxins	
2,3,7,8 tetrachlorodibenzodioxin (TCDD)	1.0
1,2,3,7,8 pentachlorodibenzodioxin (PeCDD)	0.5
1,2,3,4,7,8 hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,7,8,9 hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,6,7,8 hexachlorodibenzodioxin (HxCDD)	0.1
1,2,3,4,6,7,8 heptachlorodibenzodioxin (HpCDD)	0.01
octachlorodibenzodioxin (OCDD)	0.001
Furans	
2,3,7,8 tetrachlorodibenzofuran (TCDF)	0.1
2,3,4,7,8 pentachlorodibenzofuran (PeCDF)	0.5
1,2,3,7,8 pentachlorodibenzofuran (PeCDF)	0.05
1,2,3,4,7,8 hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,6,7,8 hexachlorodibenzofuran (HxCDF)	0.1
2,3,4,6,7,8 hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,7,8,9 hexachlorodibenzofuran (HxCDF)	0.1
1,2,3,4,6,7,8 heptachlorodibenzofuran (HpCDF)	0.01
1,2,3,4,7,8,9 heptachlorodibenzofuran (HpCDF)	0.01
octachlorodibenzofuran (OCDF)	0.001

Part 10 Volatile organic liquids

20 Definitions

In this Part:

delivery tank means a tank mounted on a tank vehicle (not being the fuel tank of the vehicle).

large loading plant means industrial plant that is used for loading volatile organic liquid, at a rate of more than 30 megalitres per year, into the delivery tanks of large tank vehicles.

large storage tank means a storage tank having a capacity of 150 kilolitres or more.

large tank vehicle means a tank vehicle having one or more delivery tanks with a total capacity of more than 12 kilolitres.

small storage tank means a storage tank having a capacity of 8 kilolitres or more but less than 150 kilolitres.

storage tank means a tank that is installed on any premises (other than a vessel).

tank means a container, or an isolated section of a container, that is used or designed to be used for the storage of volatile organic liquid, but does not include anything that is designed to hold volatile organic liquid under pressure and to prevent the emission of any volatile organic liquid or volatile organic liquid vapour.

tank vehicle means a vehicle used or designed to be used for the transport of volatile organic liquid from one tank to another, whether or not the vehicle is moveable under its own power, but does not include a railway vehicle.

volatile organic liquid means:

(a) crude oil, including crude shale oil and crude petroleum, or

(b) petrol, gasoline or any other organic liquid or mixture of organic liquids suitable for use as fuel for internal combustion engines using spark ignition, or used as a major component of any such fuel, other than tractor vaporising oil, or

(c) any liquid containing more than 50 per cent by volume of any (or a mixture of any) of heptene, toluene, trichloroethylene or xylene.

21 Prescribed control equipment for large storage tanks

(1) This clause applies to any large storage tank situated anywhere within the Sydney, Newcastle or Wollongong Metropolitan Area.

(2) For the purposes of sections 15B and 19A of the Act, the following control equipment is the prescribed control equipment to be fitted to any large storage tank (referred to in this Regulation as control equipment for large storage tanks):

(a) a drainage system comprising a small sump or tundish fitted under each water draw-off valve and connected to a totally enclosed drain,

(b) if the volatile organic liquid stored in the tank has a vapour pressure of or below 75 kilopascals:

(i) a floating metal roof that, under normal operating conditions, floats on the surface of the liquid, or

(ii) a floating cover constructed of material impervious to vapour that, under normal operating conditions, floats on the surface of the liquid inside a fixed roof, or

(iii) a vapour disposal or recovery system of the kind referred to in subclause (6),

(c) if the volatile organic liquid stored in the tank has a vapour pressure above 75 kilopascals, a vapour disposal or recovery system of the kind referred to in subclause (6).

(3) Subclause (2) (a) does not apply in the case of tanks used for the storage of volatile organic liquid (other than crude petroleum) received by tank-to-tank transfer from other storage tanks.

(4) A floating roof or cover referred to in subclause (2) (b) must be constructed so as to prevent the escape of vapour through the roof or cover and so that:

(a) vapour beneath the floating roof or cover is contained by skirt plates situated near the edges of the roof or cover and surrounding any openings in the roof or cover or by similar means, and

(b) the roof or cover is equipped with one or more closure seals to close the spaces between the roof or cover and the tank walls and between any openings in the roof or cover and any equipment passing through those openings, and

(c) seals on floating roofs are shielded from the weather, and

(d) weather-shields are moveable to permit proper inspection of seals.

(5) For the purposes of sections 15B (2) (a) and 19A (2) (a) of the Act, the level of volatile organic liquid in a large storage tank that is fitted with a floating roof or cover referred to in subclause (2) (b) must be maintained, during normal operating conditions, at a depth sufficient to prevent the supports of the floating roof or cover from resting on the floor of the tank.

(6) A vapour disposal or recovery system referred to in subclause (2) (b) or (c) must be constructed so that the vapour emitted from the tank:

(a) is incinerated, so that the total mass of unburnt vapour emitted to the atmosphere does not exceed 1.5 grams per cubic metre of the gases resulting from the incineration process, or

(b) is recovered, so that the total mass of unrecovered vapour emitted to the atmosphere during any period of 4 hours does not exceed 110 milligrams per litre of volatile organic liquid passing into the tank during that period.

(7) The total mass of unburnt vapour referred to in subclause (6) (a) is to be determined as set out in Test Method 19, the total mass of unrecovered vapour referred to in subclause (6) (b) is to be determined as set out in Test Method 20 and the calculation of the vapour pressure of volatile organic liquid stored in tanks is to be carried out in accordance with Test Method 21.

22 Prescribed control equipment for large loading plant

(1) This clause applies to any large loading plant situated anywhere within the Sydney Metropolitan Area.

(2) For the purposes of sections 15B and 19A of the Act, the following control equipment is the prescribed control equipment to be fitted to large loading plant (referred to in this Regulation as ***control equipment for large loading plant***):

(a) a vapour collection system by which all vapour displaced from tanks during loading operations is collected and conveyed to a vapour recovery or disposal system through vapour lines having an internal diameter of not less than 65 per cent of the largest fill-line used for connection to the delivery tank,

(b) an interlock system that prevents the loading of a delivery tank unless the vapour collection system is first connected to that tank,

(c) fittings on all vapour lines that make vapour-tight connections with the respective mating fittings on the delivery tank and that close automatically when disconnected,

(d) a vapour recovery or disposal system of the kind referred to in subclause (4).

(3) The interlock system referred to in subclause (2) (b) is taken not to be prescribed for the purposes of section 15B or 19A of the Act if it forms part of industrial plant used only for loading delivery tanks that are themselves fitted with such an interlock system.

(4) A vapour recovery or disposal system referred to in subclause (2) (d) must be constructed so that the vapour resulting from loading operations:

(a) is incinerated, so that the total mass of unburnt vapour emitted to the atmosphere does not exceed 1.5 grams per cubic metre of the gases resulting from the incineration process, or

(b) is recovered, so that the total mass of unrecovered vapour emitted to the atmosphere during any period of 4 hours does not exceed 110 milligrams per litre of volatile organic liquid passing out of the plant during that period.

(5) The total mass of unburnt vapour referred to in subclause (4) (a) is to be determined as set out in Test Method 19 and the total mass of unrecovered vapour referred to in subclause (4) (b) is to be determined as set out in Test Method 20.

23 Prescribed control equipment for small storage tanks

(1) This clause applies to any small storage tank situated anywhere within the Sydney Metropolitan Area other than the local government area of Hawkesbury.

(2) For the purposes of sections 15B and 19A of the Act, the following control equipment is the prescribed control equipment to be fitted to a small storage tank (referred to in this Regulation as control equipment for small storage tanks):

(a) a vapour transfer system by which all vapour displaced by the transfer of volatile organic liquid into the storage tank is returned to the delivery tank being unloaded by means of a vapour return line,

(b) a coupling on the vapour return line that makes a vapour-tight connection with the vapour return hose on the delivery tank and that closes automatically when disconnected,

(c) in the case of a tank that is filled by the operation of gravity, an overfill protection system designed to stop the flow of volatile organic liquid into the storage tank before there is insufficient space in that tank to receive the contents of the tank vehicle's transfer hose,

(d) a coupling on the storage tank's fill-pipe that makes a vapour-tight connection with the delivery tank's transfer hose,

(e) in the case of a storage tank located above the ground, pressure vacuum valves on all atmospheric vents.

(3) The vapour transfer system referred to in subclause (2) (a) may be used to serve more than one storage tank on the same premises.

(4) A vapour return line referred to in subclause (2) (a) must be of vapour-tight construction and must have an internal diameter:

(a) in the case of such part of the vapour return line as is upstream of the first fitting or change in direction from the tank:

(i) not less than 50 per cent of the internal diameter of the fill-pipe, or

(ii) in the case of a tank installed before 1 May 1982 and in which the vapour return line is taken from the atmospheric vent, as large as practicable having regard to the internal diameter of the existing vent connection, and

(b) in the case of such part of the vapour return line as is downstream of the first fitting or change in direction from the tank, not less than 65 per cent of the internal diameter of the fill-pipe.

(5) The valves referred to in subclause (2) (e):

(a) except as provided in paragraph (b), must be set to be closed when the pressure in the tank is between 15 kilopascals above, and 0.5 kilopascals below, ambient pressure, or

(b) in the case of tanks installed before 1 May 1982, may be set to be closed when the pressure in the tank is between the design operating maximum pressure and the design operating maximum vacuum.

(6) For the purposes of section 15B (2) (a) and 19A (2) (a) of the Act, a hatch, manhole or other cover on or associated with a storage tank fitted with the prescribed control equipment referred to in subclause (2) must not be opened if, in so doing, vapour would be likely to be emitted to the atmosphere, except:

(a) in an emergency, or

(b) for the purpose of tank gauging or sampling through a dip hatch (when no transfer hoses are connected to the tank or when any connected hoses are closed), or

(c) for the purpose of reasonable maintenance.

24 Control equipment for large tank vehicles

(1) This clause applies to:

(a) the loading of a large tank vehicle from large loading plant, and

(b) the unloading of a large tank vehicle into a small storage tank,

where the loading or unloading takes place anywhere within the Sydney Metropolitan Area.

(2) The owner of a tank vehicle must not use the tank vehicle, or allow the tank vehicle to be used, to load or unload volatile organic liquid unless the tank vehicle is fitted with the following control equipment (referred to in this Regulation as ***control equipment for large tank vehicles)*** and the equipment is maintained in an efficient condition:

(a) a vapour handling system for the transfer between delivery tanks of vapour displaced during loading or unloading operations,

(b) an overfill protection device, located in the delivery tank, that is designed to stop the flow of volatile organic liquid into the tank as near as practicable to the level of minimum ullage,

(c) couplings on transfer pipes and hoses on the tank vehicle that make a vapour-tight connection with the respective mating fittings and that, in the case of transfer pipes, close automatically when disconnected,

(d) hatch covers on any openings that are required to be vapour-tight when closed,

(e) pressure vacuum valves on all atmospheric vents (except emergency vents) that are set to be closed when the pressure in the tank is between 15 kilopascals above, and 3 kilopascals below, ambient pressure, being valves that may be fitted with a vent by-pass or pilot-bleed system if the maximum area for free venting is limited to 15 square millimetres.

Maximum penalty: 200 penalty units (in the case of a corporation) and 40 penalty units (in any other case).

(3) The vapour handling system referred to in subclause (2) (a) must comply with the following requirements:

(a) the delivery tank must be fitted with a vapour transfer valve connecting the tank, through a manifold if desired, to a vapour line coupling or permanently connected vapour hose,

(b) the vapour transfer valve:

(i) must be interlocked with the delivery valve, so as to be open whenever volatile organic liquid is being transferred to or from the tank, and

(ii) if the vapour return hose is not permanently connected to the delivery tank, must be interlocked with the vapour line coupling on the delivery tank, so as to be closed unless the vapour return hose is attached to that coupling,

(c) unless the delivery tank is fitted with a permanently connected vapour hose, the tank vehicle must carry a vapour return hose of vapour-tight construction, fitted to connect:

(i) at one end, to the vapour line coupling on the vehicle, and

(ii) at the other end, to a vapour return coupling at the liquid loading or unloading plant,

(d) the vapour line (including any vapour hose carried by the vehicle) must have an internal diameter of not less than 65 per cent of the internal diameter of the largest transfer hose carried by the vehicle,

(e) couplings on vapour transfer hoses on the tank vehicle must make vapour-tight connections with the respective fittings on the vehicle.

25 Loading and unloading large tank vehicles

(1) This clause applies to:

(a) the loading of a large tank vehicle from large loading plant, and

(b) the unloading of a large tank vehicle into a small storage tank,

where the loading or unloading takes place anywhere within the Sydney Metropolitan Area.

(2) While a tank vehicle is being loaded with volatile organic liquid from large loading plant, the person in charge of the vehicle must ensure that the delivery tank mounted on the vehicle is properly connected to the vapour collection system of that plant.

Maximum penalty: 200 penalty units (in the case of a corporation) and 40 penalty units (in any other case).

(3) While a tank vehicle is being used to load volatile organic liquid into a small storage tank, the person in charge of the vehicle must ensure that:

(a) before any such loading takes place, the vapour return hose is connected to the appropriate vapour line coupling on the tank vehicle (except in the case of a permanently connected hose) and to the appropriate vapour return coupling on or associated with the storage tank,

(b) the vapour return hose is not disconnected while volatile organic liquid is being loaded into the storage tank,

(c) the connection or disconnection of any hose is done in such a manner as to avoid or minimise spillage, and

(d) the transfer hose is not disconnected from the storage tank until the hose is empty.

Maximum penalty: 200 penalty units (in the case of a corporation) and 40 penalty units (in any other case).

(4) The person in charge of a tank vehicle must not, without reasonable excuse, leave open a hatch, manhole or other cover on any delivery tank mounted on the vehicle if to do so would be likely to result in vapour being emitted to the atmosphere.

Maximum penalty: 200 penalty units (in the case of a corporation) and 40 penalty units (in any other case).

26 Exemptions

(1) The occupier of any premises is exempt from the operation of sections 15B and 19A of the Act in relation to any industrial plant that is to be fitted with control equipment prescribed by this Part if

(a) the plant is fitted with control equipment that is approved by the Authority by notice in writing to the occupier, and

(b) the plant and control equipment are maintained and operated in such manner as the Authority specifies in that notice of approval.

(2) The occupier of any premises is exempt from the operation of sections 15B and 19A of the Act in relation to small storage tanks if

(a) the Authority is satisfied that the volume of volatile organic liquid loaded into the storage tanks on those premises per year does not usually exceed 600 kilolitres, and

(b) the Authority grants an exemption from the operation of those sections by notice in writing to the occupier, and

(c) the occupier complies with such conditions as the Authority specifies in the exemption.

(3) A person is exempt from the operation of clause 24 in relation to a large tank vehicle if

(a) the vehicle is fitted with control equipment that is approved by the Authority by notice in writing to the owner of the vehicle, and

(b) the vehicle and control equipment are maintained and operated in such manner as the Authority specifies in that notice of approval.

(4) The Authority may vary or revoke an approval or exemption under this clause at any time by notice in writing served on the holder of the approval or exemption.

Part 11 Miscellaneous

27 Authorised officers to be provided with access and assistance

(1) For the purpose of enabling an authorised officer to exercise the officer's powers under the Act, the Authority may, by notice in writing, require the occupier of any premises:

(a) to allow the authorised officer access to any part of those premises and to any control equipment, fuel burning equipment, industrial plant or chimney situated on those premises, and

(b) to provide the authorised officer with such assistance and facilities as the authorised officer may reasonably require.

(2) The notice:

(a) must specify a time within which its requirements are to be complied with, and

(b) must be served in the manner specified in section 29 of the Act.

(3) An occupier must comply with the requirements of a notice under this clause.

Maximum penalty: 10 penalty units, and, in the case of a continuing breach, 2 penalty units for each day on which the breach continues.

28 Prescribed period for certain licence applications: section 18

(1) The prescribed period for the purposes of section 10 (a) of the Act is 3 months from the time when the provisions of Division 1 of Part 3 of the Act are applied to the part of the State concerned.

(2) The prescribed period for the purposes of section 10 (c) of the Act is one month from when a person becomes the occupier of scheduled premises.

29 Period within which application for transfer of licence for scheduled equipment to be made: section 21O

For the purposes of section 21O (2) (b) of the Act, the prescribed period after a person becomes the owner of scheduled equipment is one month.

30 Prescribed office: section 27

For the purposes of section 27 (4) of the Act, the office of Director-General is a prescribed office.

31 Amendment of Clean Air Regulations 1964

(1) The *Clean Air Regulations 1964* are amended by omitting Parts 2, 3, 4 and 6.

(2) Any act, matter or thing that, immediately before the repeal of a provision referred to in subclause (1), had effect under that provision continues to have effect under this Regulation.

(3) A reference in any licence in force under the *Pollution Control Act 1970* to a Test Method set out in the *Clean Air Regulations 1964* in relation to a provision referred to in subclause (1) is taken to be a reference to the corresponding Test Method set out in the *Manual of Air Quality Testing.*