

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Publication of Exemption Granted under Section 284

The following exemption is published by the Environment Protection Authority (EPA) in accordance with section 284 of the Protection of the Environment Operations Act 1997. Section 284 of the Act provides that the EPA may exempt a person or class of persons from a specified provision of the Act or Regulations under the Act. The Board of the EPA approves the making of the exemption.

Dated: 7 July 2000

LISA CORBYN
Assistant Director-General (Operations)
Environment Protection Authority

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Order Granting Exemption Under Section 284

By this order the Environment Protection Authority (EPA), with the approval of the Board of the EPA, grants to WorkCover NSW ("WorkCover") an exemption from clause 16 Table A of the Clean Air (Plant and Equipment) Regulation 1997 ("the Regulation") for its occupational health and safety testing activities at Testsafe Australia, 919 Londonderry Road, Londonderry ("the premises") for a period of 6 months from the date of this Order.

The EPA is satisfied that:

- (a) it is not practicable for WorkCover to implement operational changes to its plant or practices to comply with the Regulation because the necessary technology is not economically viable; and
- (b) that non-compliance with the Regulation will not have any significant impact on public health, property or the environment because:
 - (i) the emissions are of short duration and limited in number;
 - (ii) the activities have the goal of improving the safety of flammable materials and the effectiveness of fire extinguishers to achieve a statewide reduction in smoke emissions; and
 - (iii) the premises are located on rural land and surrounded by a buffer zone of WorkCover land.

This exemption is granted under section 284 of the Protection of the Environment Operations Act 1997 ("the Act") subject to the following conditions:

1. The maximum number of times during the exemption period that an activity listed in the table below may occur with a standard concentration of smoke emitted (when compared with the Ringelmann Chart) that is the same as or darker than shade 1 on the chart is the number specified next to that activity, for the maximum period specified next to the activity:

Activity	Maximum number of occurrences	Maximum duration of emission
Fire Extinguisher Tests to AS 1850	7	40 seconds
Fuel Can tests to AS 2906, App F	5	5 minutes
Cable Burn Tests to AS 1660.5.1	3	20 minutes
Conveyer Belt Testing & Research to AS 4606-2000	2 in any 24 hour period to a maximum of 20	40 minutes
Fire Fighting Training	5	15 minutes
Research and Development into fire and combustion for Industry, Academic and Research organisations	3	40 minutes

2. The maximum standard concentration of smoke emitted (when compared with the Ringelmann Chart) for any activity is shade 3.
3. For the purposes of conditions 1 and 2, the Ringelmann Chart means the chart described in "Approved methods for the sampling and analysis of air pollutants in New South Wales" (EPA, 1999) that is to be conducted in accordance with Test method 16 of that document. Testing is to be conducted at a point approximately 30 metres above ground level.
4. A log book must be kept on site and used each day of testing that may cause the emission of smoke to record the date, time, nature and duration of the activities, and the Ringelmann Chart reading.
5. WorkCover must advise in writing all residents within 500 metres of the boundary of the premises of the details of this exemption, and of the nature and expected frequency of emissions.

Dated: 7 July 2000

LISA CORBYN
Assistant Director-General (Operations)
Environment Protection Authority