

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 ("the Act"). 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: 28 July 2000

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

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Order Granting Exemption under Section 284

In order to reduce the risk to public health and to assist in developing a solution to the possible contamination of drinking water supplies, by this Order the EPA grants to Australian Water Services Pty Ltd (ACN 051 950 068) and to Sydney Water Corporation Limited (ACN 063 279 649) (the applicants) an exemption from compliance with s120 of the Protection of the Environment Operations Act 1997 ("the Act") relating to the prohibition of pollution of waters by the discharge of supernatant water from Prospect Water Filtration Plant to Prospect Reservoir. The exemption is granted under s284 (2)(b) of the Act subject to the following conditions:

1. General Conditions

- (a) This exemption takes effect from the date of gazettal of the exemption and expires on 6 March 2002 unless otherwise varied or revoked.
- (b) Activities undertaken pursuant to this exemption must be carried out in a competent manner
- (c) The discharge from Prospect Reservoir to Prospect Creek caused by the discharge of supernatant to the Reservoir must cease by 30 November 2000.
- (d) Supernatant must not be discharged into Prospect Reservoir from the "existing supernatant discharge point" (close to the "raw water pumping station") as shown on the attached map after 30 November 2000.

- (e) Supernatant must only be discharged into Prospect Reservoir from the "proposed supernatant discharge point" as shown on the attached map after 30 November 2000.
- (f) Prospect Water Filtration Plant must be operated in a manner that ensures that the supernatant water discharged into Prospect Reservoir:
 - contains less than 50 milligrams per litre of suspended solids;
 - contains less than 200 micrograms per litre of total aluminium;
 - contains less than 300 micrograms per litre of total iron;
 - contains less than 200 micrograms per litre of total manganese;
 - contains less than 500 micrograms per litre of total nitrogen;
 - contains less than 50 micrograms per litre of total phosphorus;
 - contains less than 2000 cells per millilitre of dominant blue-green algae;
 - contains less than 50 micrograms per litre of phenolic substances;
 - has a pH not less than 6.5 or more than 8.5 units; and
 - has a turbidity of less than 10 NTU.

2. Milestones

Note: The applicants propose to construct and operate deep bed filters by 6 March 2002 to ensure that Prospect Reservoir is available as a source of drinking water without discharges from the Reservoir to Prospect Creek .

- (a) Detailed design of the deep bed filters must be completed by 13 October 2000 and construction commenced by 16 October 2000. Construction must be completed and the deep bed filters in operation by 6 March 2002.
- (b) Progress reports must be submitted to the EPA at least every six months from the date this exemption takes effect.

3. Monitoring

- (a) Grab samples of supernatant must be collected at the discharge point from the Prospect Water Filtration Plant to the Reservoir above the surface of the receiving waters, each month from October to January inclusive and in April and July, or as otherwise directed in writing by an authorised officer of the EPA. The date on which the samples were taken must be recorded and the samples must be analysed for the following parameters:
- Suspended solids;
 - Aluminium (total);
 - Iron (total);
 - Manganese (total);
 - Nitrogen (total);
 - Phosphorus (total);
 - Dominant blue-green algae;
 - Phenolic substances;
 - pH; and
 - Turbidity.
- (b) If a discharge from Prospect Reservoir has occurred in the month prior to the sampling date, or if the water level in the Reservoir is less than 300mm below the spillway level on the sampling date, grab samples must be collected from the surface of the Reservoir adjacent to the spillway to Prospect Creek at the frequency specified in (a) above. The date on which the samples were taken must be recorded and the samples must be analysed for the following parameters:
- Nitrogen (total);
 - Phosphorus (total); and
 - Dominant blue-green algae
- (c) The samples must be tested in accordance with the Approved Methods Publication of the EPA, or for substances to which the Approved Methods Publication does not apply, by a method approved in writing by the EPA.

4. Notification of Environmental Harm

- (a) The applicants must ensure that the EPA's Sydney Region is notified by fax on 9995 6900 of any incident posing or threatening material harm to the environment in relation to Prospect Reservoir or Prospect Creek of which either of them becomes aware, as soon as practicable after becoming aware of any such incidents. This obligation is in addition to the obligation to notify under the Act.
- (b) The applicants must ensure that full written details of the notifications referred to in (a) are provided to the EPA within seven days of the date on which the incident occurred.

5. Reporting

A report on the water quality monitoring required in 3(a) and 3(b) above must be prepared and submitted to the EPA every six months from the date this exemption takes effect, by the 15th day of the month that immediately follows the end of the six monthly period.

6. Interpretation

Terms used in this document have the same meaning as they have in the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (General) Regulation 1998.

Note: Except as expressly provided in this exemption, the applicants must comply with s120 of the Protection of the Environment Operations Act 1997.

Dated: 28 July 2000

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

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