

Appendix 4: Recommended Amendments to Provisions

Provisions as notified are shown in black text. Additions are underlined and deletions are ~~struck through~~.

Section 42A recommended amendments are shown in **red text**. Additions are underlined and deletions are ~~struck through~~.

Rule R26: Abrasive blasting outside an enclosed area – permitted activity



The discharge of contaminants into air from dry or wet abrasive blasting outside an enclosed area is a permitted activity, provided the following conditions are met:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property** or in the coastal marine area, and
- (b) the operation of a mobile abrasive blasting unit used at one **property** or in the coastal marine area is no more than 10 days in any 12 month period (except for abrasive blasting of the **National Grid**), and
- (c) abrasive blasting shall only be undertaken when it is impracticable to remove or dismantle or transport a fixed object or structure to be cleaned in an abrasive blasting booth, and
- (d) if the blasting is dry abrasive blasting, the blasting materials shall only be garnet, sodium bicarbonate, crushed glass, or agricultural materials including crushed corn cobs or walnuts, and
- (e) if the blasting is wet abrasive blasting, the blasting shall only use water, and
- (f) the free silica content of a sample of the blasting material shall not exceed 5% by weight, and
- (g) all work areas and surrounding areas are kept clean and substantially free of accumulations of deposited material and other debris.

Rule R33: Petroleum storage or transfer facilities – permitted activity



The discharge of contaminants into air from the storage or transfer of petroleum products including but not limited to, volatile organic compounds, solvent vapours, ventilation of solvents and displacement of solvents is a permitted activity, provided the following conditions are met:

- (a) the discharge does not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property or in the coastal marine area**, and
- (b) there is no emission of **hazardous air pollutants** as identified in Schedule L2 (air pollutants) beyond the boundary of the **property or in the coastal marine area** that does, or is likely to, cause adverse effects on human health, ecosystems, ~~or~~ **property or the coastal marine area**.

Rule R34: Mobile source emissions – permitted activity



The discharge of contaminants into air from a **mobile source** is a permitted activity.

General conditions for the discharge of agrichemicals

General conditions for the discharge of **agrichemicals** into air, or onto or into land where it may enter water, or into water are that:

- (a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the **property or in the coastal marine area**, and
- (b) there is no discharge directly into the coastal marine area or a **surface water body**, unless the **agrichemical** is approved by the Environmental Protection Agency for use into water, and
- (c) there is no discharge into water:
 - (i) in a surface water **community drinking water supply protection area** as shown on Map 39, or
 - (ii) two kilometres upstream of a surface water intake for a **group drinking water supply**, and
 - (iii) the applicator shall notify every person taking water for potable supply within 1km downstream of the proposed discharge 12 hours before the discharge begins, and
- (d) the **agrichemical** is approved by the Environmental Protection Agency, and
- (e) the discharge shall be undertaken in accordance with the directions on the **agrichemical** product label, or the manufacturer's instructions and safety data sheets, or as specifically approved by the Environmental Protection Authority, and
- (f) in public places, including alongside roadways,

- (i) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash on any **property** adjacent to where the discharge originates, and
- (ii) the applicator must display prominent signage advising that **agricultural** spraying is taking place.

Note

Some substances require that a permission be sought from the Environmental Protection Authority under section 95A of the Hazardous Substances and New Organisms Act 1996.