

## Other comments #1 and EPA responses

<b>Submission</b>	1	The license fee of \$600 approx out of an annual income of \$6000 approx is an impost well beyond the "management required."
<b>EPA response</b>		The environment management component is intended to reflect regulatory effort in the new licence fee structure. We will consult with you again once the details have been developed.
<b>Submission</b>	2	No other comments.
<b>EPA response</b>		Noted
<b>Submission</b>	3	Whatever the licence fee structure, the impact of highly polluting industry will require political decision making and action.
<b>EPA response</b>		Noted
<b>Submission</b>	7	We are a regional funeral service located in the Clare Valley. We hold a licence from the EPA for a cremator that we hope to have operational in 2005. The proposals put forward in your paper could have a significant impact on our future business plans. The following are points that we believe to be significant to us and other crematorium operators in South Australia. Fees for Crematoria, whether public or private, should remain untouched, with provision for CPI increases if deemed necessary. Justification for any CPI increase should be the responsibility of EPA in light of efficiency improvements implemented by EPA management.
<b>EPA response</b>		Noted. We will consult with you again once we have developed details of the licence fee structure, and the dollar impact is known.
<b>Submission</b>	8	We recognise the important role that the Environment Protection Act licences play in the ongoing management of activities that have the potential to cause environmental harm and pollution. We are also aware of the ongoing resources required by the Environment Protection Authority (EPA) to manage the licences and support the notion of cost recovery.
<b>EPA response</b>		Noted
<b>Submission</b>	9	When is SA going to have its own regulations - ie auditor licensing, acceptable contamination levels instead of adopting NZ, NSW or overseas?
<b>EPA response</b>		We are in the process of developing site contamination legislation. Respondent informed via telecon.
<b>Submission</b>	11	No
<b>EPA response</b>		ie no further comments. Noted
<b>Submission</b>	24	The EPA may also wish to target specific pollutants that are causing or are expected to cause significant concern to the State. Once these are identified, then appropriate mechanisms are identified to encourage mitigation – for example, C-tax; Salinity credits; SO2-credits, etc.
<b>EPA response</b>		Noted. Mechanisms such as C-tax etc may be considered in future. This is likely to be a system separate from the licence fee structure.
<b>Submission</b>	27	One of the attractive aspects of option 4 is if incentives could be put in place for achieving environmental targets. This could be changes to monitoring programs that could lower costs. For example I have to undertake chemical tests of Murray River water that are public domain information. I have not understood the reasoning behind the need for these tests. If using bore water the requests make a lot of sense but when information is readily available it is another cost. Overall the past 12 months has worked out very well for communication with the EPA. Thanks
<b>EPA response</b>		In general we do not require additional testing of intake water if the information is available from other sources, unless there is further treatment of the intake water. Testing may be required of any discharges through licence conditions. This is being followed up with the respondent directly.

<b>Submission</b>	30	Current licence fee is \$2000, not getting anything for it (only saw EPA when they pointed out he needed a licence). Taking environmental impact into account (abrasive blasting within factory, collects dust).
<b>EPA response</b>		Noted. Environment management fees are proposed to be cost-reflective of EPA regulatory effort, related to environmental risk/impact.
<b>Submission</b>	31	Regional council - poor relationship with EPA due to landfill requirements. Would like regional councils treated differently to metro. Landfill guidelines ridiculous.
<b>EPA response</b>		Noted. The new landfill guidelines are intended to ensure that environmental impacts from landfills are minimised. They are available on the EPA website for public comment until 15 April 2005.
<b>Submission</b>	32	Struggle to get results from EPA - not very efficient. Long time to get response.
<b>EPA response</b>		Noted.
<b>Submission</b>	33	Paying around \$1400 for licence for abrasive blasting. Others breaking law but phone EPA and no-one gets back to them - policing.
<b>EPA response</b>		Noted.
<b>Submission</b>	34	If licence fee is too high, customers are unwilling to pay and may dump illegally.
<b>EPA response</b>		Noted.
<b>Submission</b>	35	For asbestos removal and transport, a licence is required from Workplace services (for removal) and EPA (for transport). Concern re two fees.
<b>EPA response</b>		The fees are for separate activities - the first is removal, the second is transport. Telecon with respondent and Workplace services to discuss the requirement for two fees.
<b>Submission</b>	38	Examples: SA Water's treated sewerage discharge (and a lot not so treated) is currently dumped into the coastal environment causing what may be irreparable long term damage to sea grass beds and the resulting coastal erosion (long shore drift) yet it is licensed to do so and the cost is met by the public in higher costs; the high number of street drains entering major waterways especially in times of high rainfall; so called wetlands which at present trap some pollutants that will soon silt up and need dredging (where will this highly toxic silt be disposed of?); the pollution caused by overhead high voltage power lines is well known, not only copper but high frequency radiation pollution. We have the highest cost per kilowatt hour to the public in Australia - ensuring that pollution costs are passed on to the public in more ways than one; the on going pollution of our coastal waterways by shipping in the use of highly toxic anti fouling and ballast water discharge is well documented yet not a single vessel will be turned away from our ports because of the type of anti foul on the hull or checks on the mud or ballast water in her tanks; our rivers and harbours where the build up of toxic silt is safe until it is disturbed are now to be dredged. The toxic silt is to be dumped at sea in previously unimagined quantities into an area which is environmentally clean, against the Clean Seas Act and all rational thought, all for a short term gain. No one has investigated the possible long-term outcome ie in a hundred years, of such government sanctioned vandalism. Once again the public will bear the cost now and into the future; land clearing and the chemicals in farming all contribute most of the pollution to our inland waterways; the inappropriate use of land bordering our major rivers is unsustainable long term and yet is sanctioned and licensed by successive governments; some of the largest marine polluters are the numerous tuna farms (and other water borne aquaculture) all sanctioned and licensed by the government. To divert attention the EPA puts on sideshows of beating small business (under 100 people) over the head whilst sanctioning and in some cases encouraging short-term solutions. The solutions must be at a national level and the concept of a state-by-state EPA is a total waste of business and taxpayers money. The EPA needs to address the pollution problems at the top end of the scale as better than 90% of the pollution is caused by large scale government sanctioned organizations.
<b>EPA response</b>		Noted. The Environment Protection Act requires the EPA to give proper weight to both long and short term economic, environmental, social and equity considerations in deciding all matters relating to environmental protection, restoration and enhancement. With load based performance fees, large polluters would pay a larger proportion of the EPA's licensing costs.

**Submission** 39 The EPA needs to consider its costs of operation & efficiency of management of licences to ensure costs are fair & controlled. It would be unfair to have business continue to fund EPA inefficiencies.

**EPA response** Noted.

**Submission** 40 The fees generated should be used to provide accurate and scientifically based requirements for the operation of licensed operations on a conciliatory basis, and not a bureaucratic government agency showing a heavy hand with no advice.

**EPA response** Noted.

**Submission** 41 Concerned that increased fees have resulted in waste disposal not involving waste transport (eg fishing fleet in Port Lincoln - used to cart liquid waste, but where is it going now?)

**EPA response** Noted.

**Submission** 48 No other comments at this stage.

**EPA response** Noted.

**Submission**

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We are writing to you on behalf of the xx association. We feel that certain matters pertaining to dredging licences and the issuing of them to our members are both circumspect and vague. The EPA has further exacerbated the situation with the recent issuing of a discussion paper suggesting changes to a licence fee structure that we feel is not appropriate in our current situation. Our first point concerns the cleaning and maintenance of our irrigation channels by which we access lake water for irrigation and stock and domestic purposes from Lake Alexandrina and Lake Albert. These access channels are man-made, most over thirty years old and set back from the lake edge on higher sheltered ground to access both lake water and power for pumps. Until 2002, no irrigators were aware that a dredging licence was needed to clean these channels that silt up over time. The annual or biannual maintenance is not removing lakebed sediment but removing silt that has been driven into the channel by winds and water movement and the general turbidity of the lake water. We do not believe that a licence to clean the access channels is appropriate when the EPA has yet to present any evidence, scientific or otherwise, to show that this maintenance and desilting of these channels has any significant effect of polluting the lakes or their environment. The ten-year licence issued to irrigators in 2002-2003 should be adequate to cover general cleaning and maintenance of existing pump channels and not be seen as an annual revenue raising exercise. EPA, as a result of this licence have a register of irrigators, which they are able to monitor. Our next point is the EPA's total lack of understanding of our particular situation. The issuing of an annual return for licences only two years after we have paid for, and been verbally informed that our licence application has been successful shows this. Your department is adamant that we should fill in a licence annual return when no irrigators have dredged since 2002. As licence holders of the EPA we sense that we are being unfairly bundled in with every industrial licence holder, which is not appropriate to our situation. We ask that the EPA consider carefully as to whether a dredging licence is appropriate to our particular situation. The cleaning of channels has very little to do with the lake edge or lake bed when channels are running inland and there is very little chance of turbid or unsettled water escaping back into the lake as the water flow is the other way and subsequently the need to desilt the channel obviously comes from the lake turbidity. The third point we would like to make concerns emergency dredging in to the lake varying distances as in the season 2002-2003. We would prefer that this situation does not occur again. The last time there was a need for this was in 1967 (a drought year). We are confident that the relevant authorities that govern and are in charge of lake levels were caught off-guard by the situation in 2002. Lake levels at the start of the season in 2002 were too low, there were no unregulated flows and lake levels steadily decreased to the point where any water movement caused by the wind meant that water disappeared from access channels intermittently. We are sure that the relevant authorities have a better understanding of the lake levels now, as has been shown by this season. The season started with the highest possible optimum lake levels and have held very well, even with minimal unregulated flows into the lakes and irrigators still facing water restrictions on their irrigation licences. We therefore feel that emergency issuing of a dredging licence to lower lakes irrigators and stock and domestic users may only be required on rare occasions and should not therefore be an annual licence. This emergency licence could be formulated and agreed upon by the EPA and relevant irrigators and reassessed from time to time. According to historical data an emergency licence may only be implemented every twenty to thirty years. It would not need to be a licence that requires an annual return of licence as with other EPA licence holders. It should not be backed up with management and land performance fees as per your discussion paper and would not have a revenue recycling component. We, as the residents of the lower lakes system, have no alternative access to water for any purpose. There is no scheme water; no underground water and no way to hold water run-off in a dam situation. We are totally reliant on the lakes for our water needs. We wonder whether the EPA is fully conversant with our situation or has just bundled us into the EPA licensing system for their own convenience? We have presented our concerns with the current EPA licensing system to the Natural Resources Committee at Murray Bridge on the 30th November 2004. We as members of the xx association, request a meeting to discuss our concerns and the apparent inequity of the current situation in relation to dredging licences and associated activities.

**EPA response**

This respondent is querying why they require a licence. This is being followed up directly with the respondent.

**Submission**

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All concerns relating to this dredging licence have been addressed by our letters to the EPA from the xx association. Desilting channels is not removing lake bed but removing silt that is accumulating in the man made channel due to lake turbidity caused by wind + wave action. Waters movement is into the channel, not into the lake.

**EPA response**

This is being followed up directly with the respondent.

<b>Submission</b>	52	<p>7. Best practice licences recommended</p> <p>We support the concept of best practice licences where licence fees are reduced for good practice (as in some readings of options 2 and 4). We would like further input to the formulation of this principle. Specifically industry that undertakes regular independent environmental audits which are then made available to the public in annual environmental reports should be benefited by reduced licence fees. Industries should also benefit depending on where they decide to manage their waste on the waste hierarchy; elimination, recycling, treatment and disposal. For example; industry that moves from waste disposal to preventing waste should be benefited over simple recycling.</p> <p>Note that a scheme of "best practice licences" could be used to benefit high level performers though increased profile and marketing opportunities. The EPA can use such industry leaders as educational tools. As well managed scheme benefits all.</p>
<b>EPA response</b>		Noted. Accredited licences are available and the guideline for accredited licences is available on the EPA website. The Reference group had input into the guideline on accredited licences.
<b>Submission</b>	53	We have five licensed sites.
<b>EPA response</b>		Noted
<b>Submission</b>	54	We currently hold a licence to operate a crematorium at xx.
<b>EPA response</b>		Noted
<b>Submission</b>	58	We are all looking for a level playing field and I do not believe that current licence condition are being enforced, or not all who need licences have them.
<b>EPA response</b>		Noted.
<b>Submission</b>	61	It would be helpful if all EPA licensing could be done at once. In our facility we receive "radiation" licence fees at different times of the year. If all of our EPA requirements could be structured in such a way that we had one invoice to cover a multitude of licences it would make life much simpler + easier to comply to requirements.
<b>EPA response</b>		Noted. At this stage, Radiation Protection and Environment Protection licences are issued under separate Acts. This means that separate invoices are generated.
<b>Submission</b>	62	I would like to add that increased fees would hopefully allow for increased numbers of EPA field officers, for inspection purposes, to ensure compliance with EPA requirements.
<b>EPA response</b>		We do not plan to increase our costs of licensing administration, therefore resources will not increase. Telecon with respondent, who indicated they would be willing to pay a larger licence fee to increase EPA resources.
<b>Submission</b>	64	To expect businesses to help finance such EPA projects as public education is excessive. To state that "a 100% increase in fees to be phased in over 4 yrs" smacks of general revenue raising, and is most unsettling for proposed & new enterprises.
<b>EPA response</b>		Noted. However, licence fees will only fund EPA licensing costs, not public education and other work done by the EPA. We consulted on a 100% increase in January 2003, in order to achieve cost recovery of EPA licensing costs. We are currently in the third year of four years of 25% increases. Clarified with respondent via telecon on 19/1/05.

<i>Submission</i>	69	<p>While I also understand that this review is largely to do with operational sites I also believe that it would be timely to review waste carriers licences.</p> <p>I understand there is a reasonably substantial fine for not being a licenced waste transporter and yet probably 70% of the transporters do not have a current waste transport licence.</p> <p>It is important from the point of view of understanding the volumes of waste that are being transported that we understand how many vehicles are carrying waste and more to the point where are they taking it. This information will assist Governments and industry to understand the capacity of transfer stations and landfills required to manage the total waste stream.</p> <p>I believe that the introduction of Waste and GPS tracking for waste transporting vehicles must be introduced. It must be illegal to accept waste at any EPA licenced facility that is not a licenced vehicle where that vehicle is carrying the material for commercial purposes, and those vehicles must have a Waste and GPS tracking system on board, this will all but eliminate illegal dumping.</p> <p>While there would be a substantial cost in the establishment and operation of the program it would be fair to assume that the increase in the appropriate licences and levies would cover these costs.</p> <p>I believe that Industry overall would support the implementation of this sort of a program as it goes some way towards leveling the playing field and takes the cowboys out of the system.</p> <p>I also think it is fair to say that one of the downsides of the increases in EPA levies is that it makes it more difficult for those contractors that are managing their waste streams legally to achieve profitability with those that are acting outside of the law. One of the Major complaints I receive from operators with in the waste and demolition industry is "how does the EPA expect me to survive with these cost imposts that others do not incur due to their work practices?"</p> <p>My challenge to EPA in this evaluation process is how serious are you to level the field, and support those in Industry that are trying to bring waste management across the board into the 21st century?</p> <p>My thoughts may not be the answer to this dilemma but what we have in place is clearly not working as effectively as we might like the time is right while waste management is so topical to set the bar high and go for it.</p>
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<i>EPA response</i>	Noted. Waste transporters who do not transport for fee or reward, or the transport of building or demolition waste does not currently require an EPA licence. The issues raised were followed up with the respondent.
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<i>Submission</i>	77	<p>We are pleased to provide this response to the Environment Protection Agency's Discussion Paper – License Fee Structure.</p> <p>We are a registered organisation under the Workplace Relations Act 1996 and service approximately 450 companies in the metals and engineering manufacturing sectors, including automotive components, whitegoods, toolmaking, foundry, plastics, electronics, defence and metal products.</p> <p>We are affiliated nationally with the Australian Industry Group and provide a range of advisory services to member companies in the areas of industrial relations, human resource management, environment, education, training, industry development and economic performance.</p>
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<i>EPA response</i>	Noted.
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<i>Submission</i>	79	<p>In addition, more rigorous approaches to land use planning are required to ensure businesses are not exposed to encroaching incompatible uses that place higher environmental expectations on those businesses. Better land use planning will ensure environmental compliance costs can be minimised. The EPA must therefore demonstrate how it would ensure that third-party decisions, over which neither it nor licensees may have any control, would not adversely affect licence fees.</p>
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<i>EPA response</i>	Noted. This may be discussed further when we consult on the details of the licence fee structure.
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## Other comments #2 and EPA responses

**Submission** 1 \$600 to send out forms and, based on the information provided by clubs, set a license fee seems very large for a biennial license and possibly should at least be subject to review of efficiencies involved.

**EPA response** We propose to set licence fees based on environmental risk/impact, and load based performance where applicable. Your fee may reduce, or it may increase, under the proposed new licence fee structure. We will consult with you again once the details have been developed.

**Submission** 7 Crematoria do not require the intensity of inspection/monitoring that may be required in other industries, such as foundries or heavy industry. Monitoring is an integral part of the operation of a cremator and performance traces are available to the EPA at any time.

**EPA response** Noted.

**Submission** 27 For example our winery (~ 17,000t crush 04) is spending more money on monitoring than 80,000 t wineries in Vic/NSW.

**EPA response** EPA monitoring requirements are suited to local conditions, and may differ from interstate requirements.

**Submission** 30 Struggling to compete with imports from China.

**EPA response** Noted

**Submission** 41 Concern re policing of licences - no support from EPA and government. EPA sees South Australia as Port Wakefield to Murray Bridge.

**EPA response** Noted.

**Submission** 50 Re dredging licence Lake Alexandrina: Nominal 10 years licence to desilt channel to lake edge. No extra fees. No Annual Return when desilting may not occur annually - haven't desilted since 2002. No environmental fees until proof of environmental damage by EPA. Proof by EPA that a licence is applicable ie Does desilting biannually cause pollution?

**EPA response** Noted. This is being followed up directly with the respondent.

**Submission** 52 4. Costs to the EPA should reflect targeted, not historical costs  
We note that cost recovery for the EPA seems to be based on existing costs. We believe that the EPA is already under-resourced, and that cost recovery should reflect the cost of a "properly-resourced EPA". This means that the EPA should seek to recover the costs it needs to do its job properly and not just historical costs. The EPA should set targets for staffing levels, inspection rates, monitoring effort, administrative reforms etc. and the new fee structure should ensure cost recovery for this level of EPA effort. Assuming that current practice and resourcing is the best possible seems to be a lost opportunity for the EPA to improve its procedures.

**EPA response** Noted. However, at this stage we do not plan to increase our costs of licensing administration.

**Submission** 77 We have a difficulty with the proposed 100% increase to license fees being presented as a "fait accompli" to industry, without any avenues for negotiation or public submission.

**EPA response** The 100% increase in licence fees was consulted on in January 2003. Telecon with respondent to explain this, accepted by respondent (he had been given incorrect information).

## *Other comments #3 and EPA responses*

**Submission**  1 The metallic lead is contained in backstops consisting of approx 80 m3 which could be sieved in a short time if required at the end of our tenure. The other product, noise is extremely limited and the one neighbour does not find it a problem. We should be exempt in the same way as private homes.

**EPA response** This activity (shooting ranges within 200 metres of residential premises not associated with the facilities) is listed in Schedule 1 of the Environment Protection Act as an activity of environmental significance, and therefore requires a licence.

**Submission**  7 Any increase in fees would need to be passed on to bereaved families as Funeral Directors and Crematoria will not absorb cost increases. These increases would also generate an increase in the GST component of the funeral. Where a Pre-paid cremation service has been arranged, any increase in costs would have to be met by the Funeral Director as, under the terms of the contracts, Funeral Directors are locked into the price they charged at the time of making the arrangements. Crematoria should be deemed to be an essential community service, and as such, there is justification to consider this service as a special case. Smaller crematoria operators, and particularly those in regional areas, should be protected from ever increasing costs. An increase in fees to a small business where the customer base is substantially less than the city can have devastating effects. It should also be recognised that businesses in regional areas are faced with higher costs than their city counterparts in the form of freight, fuel and other services.

**EPA response** Noted. To be taken into account when developing details of licence fee structure, once the dollar impact on licence fees is known. We will consult on this again once the details have been developed.