

Our powers and options

We respond to a range of environmental incidents:

- environmental nuisance
- material environmental harm
- serious environmental harm
- contraventions of the RPC Act.

To address non-compliance under the EP Act, the EPA may issue:

- a warning
- an expiation notice
- an environment protection order (EPO)
- a clean up order (CUO) and authorisation
- a site contamination assessment order
- a site remediation order or voluntary proposal

or under the RPC Act:

- a direction.

The EPA may also seek:

- an EPA negotiated civil penalty
- an Environment Resources and Development Court imposed order
- a prosecution and criminal penalty.

For less serious breaches the EPA will provide cautionary advice in the form of guidance recommendations and/or instructions. We will also forewarn a transgressing organisation or individual of possible actions and options the EPA may choose to use should non-compliance continue.

For serious breaches or repeat offending the EPA will use its enforcement powers to protect the environment.

Dispute resolution

There may be circumstances where you are concerned about, or dispute, an EPA compliance and enforcement decision, action or order. In such cases you should, in the first instance, discuss the matter with the EPA officer involved or their supervisor.

If you are not satisfied with the outcome you may lodge a formal complaint in writing (email or post) addressed to the Chief Executive Officer.

Other avenues of review are available via the Environment Resources and Development Court or the State Ombudsman.

To find out more about EPA's Compliance and Enforcement contact EPA Customer Service Desk on 8204 2004 or visit the EPA website:

www.epa.sa.gov.au

211 Victoria Square
Adelaide SA 5000
Ph: (08) 8204 2000

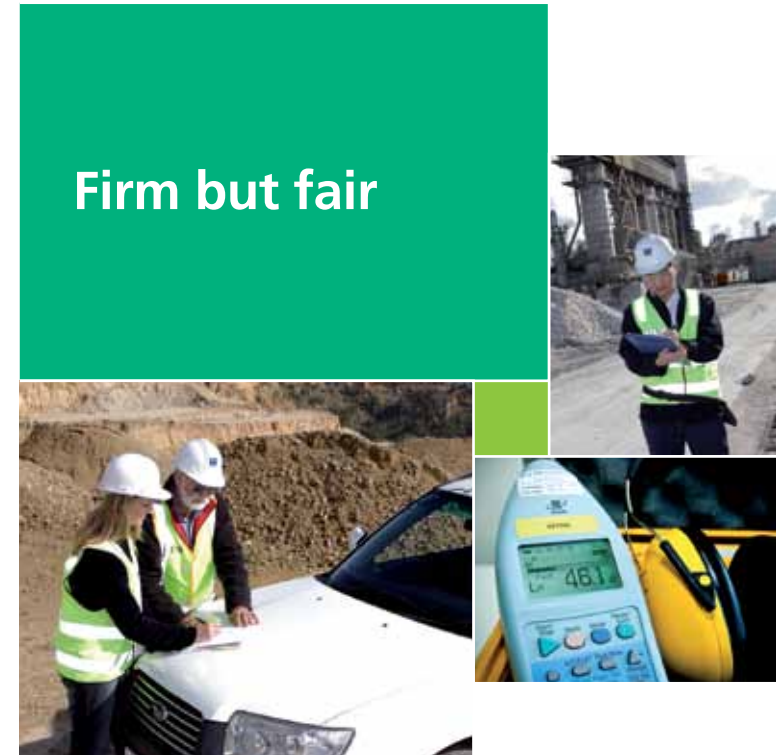
GPO Box 2607
Adelaide SA 5001

Freecall (country): 1800 623 445

Environment Protection Authority

Compliance and Enforcement

Firm but fair



The EPA is South Australia's leading environmental regulator, responsible for protecting air and water quality, and controlling pollution, waste, noise and radiation. Our role and powers are set out in the *Environment Protection Act 1993* (EP Act), the *Radiation Protection and Control Act 1982* (RPC Act) and the *Development Act 1993*.

As a regulatory body we have the powers to set and enforce standards and requirements that industry, businesses and individuals must comply with, to ensure that all reasonable and practicable measures are taken to protect and restore the quality of the environment. Much is achieved through providing advice and guidance, partnering with other organisations, education and regulation. However, in some circumstances, we will use our enforcement powers.

A suite of compliance and enforcement tools is available to us – ranging from cautionary advice and formal warnings, to court action which may result in a significant fine.

Our balanced and principled use of these tools will ensure that our actions are consistent, fair and effective, and will provide assurance to the community that the EPA is working to fulfil its role of protecting the environment.

Firm but fair

The EPA uses a range of regulatory and administrative tools to achieve compliance. Our actions are based on a foundation of *firm but fair* regulation and guided by the following five core principles:

- 1. Proportional** – we balance our actions against the level of risk of environmental harm.
- 2. Consistent** – we treat everyone equally.
- 3. Transparent** – we openly share information about our decisions and actions.
- 4. Targeted** – we focus on activities that cause the greatest risk.
- 5. Timely** – we work in a timely manner to manage, inform and progress without delay.