

# Draft Environment Protection (Air Quality) Policy 2016 and Explanatory Report

Issued October 2015

*EPA 1077/15: This information sheet explains the proposed changes to the current Environment Protection (Air Quality) Policy 1994, the Environment Protection (Burning) Policy 1994, and the interim Environment Protection (Solid Fuel Heaters) Policy 2015. The changes are a consequence of a comprehensive review of air quality regulatory frameworks. The development of a new, updated Air Quality Policy is subject to the statutory process required by section 28 of the Environment Protection Act 1993.*

## 1 Introduction

Good quality air is fundamental to the health of our community and the environment. The effective regulation of air pollution is critical to ensuring South Australians are safe from air pollution. This is because individuals cannot readily control the extent to which they are exposed to harmful airborne pollutants.

Recent scientific research has drawn strong links between air pollution and adverse health impacts, particularly in susceptible parts of the community which include children, the elderly and sick. Common effects of air pollution include changes in heart and lung functions, with increases in associated medical conditions such as asthma, bronchitis and heart disease. Air pollution also contains compounds which can affect the nervous system and are carcinogenic. The adverse health effects of air pollution have a real cost to the community through increased hospital admissions and premature deaths.

Some pollutants such as dust and odour have the potential to cause significant impacts on people's lives by adversely affecting their amenity. Dust and odour are common causes of environmental nuisance, and repeated exposure can lead to a high level of annoyance. Strong or persistent odours can also lead to feelings of nausea, headache, loss of sleep, and other symptoms of stress.

One of the Environment Protection Authority's (EPA) environmental goals is 'Good quality air. Air quality is protected from atmospheric pollutants'. The EPA monitors and regulates South Australia's air quality, has a strong focus on the control of emissions that contribute to pollution, and runs programs to maintain and improve our air quality.

Air quality management and regulation are underpinned by a range of legislation and policy tools administered by various government agencies who work together with local government authorities to achieve positive outcomes for communities.

The *Environment Protection Act 1993* (EP Act) is the legislative foundation for regulating air quality in South Australia, creating a general environmental duty to take all reasonable and practical steps to prevent or minimise

environmental harm. It also enables the development of specific environment protection policies to help protect air quality.

The current *Environment Protection (Air Quality) Policy 1994* (AQ EPP) contributes to protecting the state's air quality through setting maximum allowable stack limits. In conjunction with policies and guidelines including the *Environment Protection (Burning) Policy 1994* (Burning Policy), *Environment Protection (Solid Fuel Heaters) Policy 2015*, and *Air quality impact assessment using design ground level pollutant concentrations (DGLCs) guideline* (DGLC guideline) and the *Odour assessment using odour source modelling guideline* (Odour assessment guideline), these instruments have provided the structure for the regulation and management of air quality.

South Australia also has monitoring and reporting obligations under the *National Environment Protection (Ambient Air Quality) Measure* and the *National Environment Protection (Air Toxics) Measure*. The government has also committed to the development of the South Australian Framework for Air Quality and the National Clean Air Agreement. The proposed *Environment Protection (Air Quality) Policy 2016* aligns with these proposals.

## **1.1 Air quality legislation and policy review and consolidation**

There was a need to review and update air quality legislation and policies to improve the ability of the EPA to manage and regulate air quality to better protect human health and the environment. The regulatory framework used to manage air quality is dated (parts are over 20 years old) and did not adequately reflect new research on air quality impacts from human activities.

The draft *Environment Protection (Air Quality) Policy 2016* (draft AQ EPP) is the result of an extensive review of the legislation and policies used in the regulation and management of South Australia's air quality. The recommendations of the review included:

- consolidating the legislative and policy instruments into a single instrument
- reviewing and updating a range of emission levels of pollutants discharged to atmosphere
- adding ground-level criteria currently contained in other instruments which are employed by the EPA when assessing environmental authorisations or development authorisations
- giving the EPA the means to declare that localised ambient air quality objectives apply to an area
- aligning South Australia with other jurisdictions by providing that the sale and installation of wood heaters must be compliant with approved standards
- protecting air quality, human health and consumers by prohibiting the sale of firewood with greater than 20% moisture content
- requiring that owner/operators of solid fuel heaters ensure that they operate their heater efficiently and that excessive smoke is not emitted to the air. A test to determine what constitutes 'excessive smoke' is also provided
- providing for burning in the open to be managed at the local level (with exceptions).

## **1.2 Key features of the draft Environment Protection (Air Quality) Policy 2016**

The intent of the draft AQ EPP is to better protect and improve the health of the South Australian community and our environment by regulating and managing the air quality in line with modern practice, and simplifying and providing clarity in relation to the administration of air quality legislation. The key features of the draft AQ EPP are as follows:

### **1 Simplifies the administration of air quality legislation and policy**

Air Quality in South Australia is currently regulated and managed by a number of legislative instruments and policies (outlined above in the introduction section). The draft AQ EPP consolidates the current Air Quality, Burning and Solid Fuel Heater policies.

The EPA uses a range of regulatory instruments for assessing environmental authorisations, development authorisations and monitoring air quality. This includes assessing applications against maximum stack emission levels, ground level concentrations and odour levels. These have been reviewed, benchmarked to be consistent with other jurisdictions and where necessary, updated. The updated set of criteria have been incorporated into the draft AQ EPP (set out under the Schedules) and consolidates criteria from sources including the current Air Policy, and the DGLC and Odour Assessment guidelines.

The 'scheduling' of criteria will allow the EPA to review and update them on a regular basis as they will be able to be amended via the 'fast track' method set out under section 32 of the EP Act.

## **2 Provides greater clarity and certainty to industry and the community on air quality criteria**

Simplifying the administration of air quality related legislation and policies will provide greater certainty to industry and the community on air quality criteria for specified emissions through the consolidation and incorporation of air quality criteria on a range of pollutants, and specific management requirements for domestic and open burning sources of emissions into a single instrument.

As an example, currently where a person applies for an environmental authorisation to undertake an activity of environmental significance, the EPA refers to a number of policies and guidelines in assessing the likely environmental impact of the activity. This includes comparing projected emission levels for pollutants from the activity against acceptable emission levels in the current AQ EPP, which then become part of the conditions of authorisation. It may also include comparing the results of modelling with ground level concentrations or odour levels currently contained in EPA guidelines, which may also become part of the conditions of authorisation.

Ground level concentrations and odour levels are now incorporated into the draft AQ EPP, along with maximum pollution levels for emissions to the atmosphere from stacks, and will provide greater certainty to industry making applications for an environmental authorisation or development authorisation as to requirements and help to ensure a more efficient and timely assessment process.

## **3 Ability for the EPA to take a 'whole-of-air-shed' approach to managing specific areas of concern**

A number of factors determine the risk to communities from exposure to air pollution, including the amount of pollutants emitted, the emission sources, weather, topography, natural events and the size of the air shed (a geographical area where local topography and meteorology limit the dispersion of pollutants away from the area).

The localised ambient air quality objective provision provides the EPA with the ability to take a 'whole-of-air-shed' approach to managing specific areas of concern. It provides that the EPA may declare that localised air quality objectives apply for a specific area. A person carrying on an activity in such an area must ensure that any pollutants named in the declaration do not exceed any ambient concentrations declared for that pollutant.

## **4 Requirements to reduce emissions from solid fuel heaters**

Wood smoke consists of fine particles and associated gases, some of which are odorous and/or toxic to humans. In winter, poorly operated or inefficient solid fuel heaters may produce as much smoky particle pollution as motor vehicles and can contribute to substantial health damage costs to the community.

In addition to the health impacts of fine particles, smoke from wood heaters can also cause significant nuisance problems for neighbours as emissions can be highly odorous and irritating. Excessive wood smoke is a common cause of complaints to the EPA and councils.

- A requirement that solid fuel heaters are sold and installed in conformance with an approved solid fuel heater standard *Australian Standard 4013* (emissions) and *Australian Standard 2918* (installation). This requirement came in to force under the interim *Environment Protection (Solid Fuel Heaters) Policy 2015* on 23 July 2015. This is to ensure a move to wood heaters that are engineered to operate efficiently, decreasing emissions to the atmosphere. It brings South Australia into line with all other Australian jurisdictions (except the Northern Territory) and ensures that the market is not subverted by cheap, non-compliant imports that have the potential to further degrade air quality.
- A requirement that firewood and other solid fuels offered for sale for immediate use contain no more than 20% moisture. A well-engineered wood heater will still emit excessive smoke if it is burning inappropriate fuel. A

maximum moisture content of 20% is generally accepted as the highest moisture content before wood begins to burn inefficiently. Fuel with greater than 20% moisture has substantially higher emissions (such as increased PM<sub>2.5</sub> particle pollution) contributing to impacts on human health and the environment.

This is consistent with regulation in other jurisdictions, such as Western Australia which prohibits the sale of firewood with greater than 20% internal moisture content under the *Environmental Protection (Domestic Solid Fuel Burning Appliances and Firewood Supply) Regulation 1998*.

- A requirement to operate a solid fuel heater efficiently and to not emit excessive smoke, and a test to determine what constitutes ‘excessive smoke’ from solid fuel heaters. Owner/operators of solid fuel heaters must ensure they operate their heater efficiently so that it does not emit ‘excessive smoke’.

A simple test is provided for the use of compliance officers in determining what constitutes ‘excessive smoke’ within the context of an ‘environmental nuisance’ under the EP Act. The excessive smoke test is currently used in other jurisdictions [such as Tasmania’s *Environmental Management and Pollution Control (Distributed Atmospheric Emissions) Regulations 2007*] to manage and address the impacts of wood smoke. The test is also currently promoted as a tool to assist people to limit the impacts of wood smoke from their solid fuel heaters through environmental education.

## 5 Enables burning in the open to be managed at a local level

The current Burning Policy prohibits burning in the open in prescribed areas (eg the Adelaide metropolitan area), but leaves burning in remaining areas either partly or largely unregulated. Research clearly demonstrates that particles from smoke emitted through burning (including bushfires, bush-fire prevention, agricultural burn-offs and inefficient fuel combustion heaters), as well as motor vehicle and industrial pollution contribute to negative human health outcomes, pose substantial health damage costs and impact on the environment. Burning may not be appropriate at different times depending on local meteorological conditions, geographic conditions and the location of other residents. The draft AQ EPP seeks to provide greater control at the local level.

Under the draft AQ EPP, burning in the open is generally not permitted [with exceptions for activities such as bushfire prevention, disposal of agricultural waste, preparation of food and beverages, for comfort, recreational purposes (such as scouting) and in exempted council areas]. Where appropriate, councils will have the ability to apply to the EPA to allow burning in the open on premises in certain parts of their area and manage it at the local level.

## 6 Revocation of the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002*

The matters administered by the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002* are now fully covered by the Commonwealth’s *Fuel Quality Standards Act 2000* and supporting Fuel Standards. Consequently, it is proposed that the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002* is revoked to remove duplication in legislation.

## 2 Next steps in the processes to develop the draft AQ EPP

The draft AQ EPP is being developed in accordance with the requirements of section 28 of the EP Act, *Normal procedure for making policies*, which specifies the process that the EPA is required to follow. These include:

- 1 Consult with the Minister regarding the general purpose and intended effect of the proposed AQ EPP. **Complete.**
- 2 Prepare a draft AQ EPP and Explanatory Report explaining its purpose and effect. **Complete.**
- 3 Send the draft AQ EPP and Explanatory Report to prescribed bodies and other relevant public authorities. **Underway.**
- 4 Release the draft AQ EPP and Explanatory Report for public consultation, advising the broader community on how the draft policy and report can be accessed and inviting submissions via advertising. **Underway.**
- 5 Hold at least one public information session. **Underway.**
- 6 Respond to submissions from public consultation.
- 7 Report to the Minister.

- 8 Submit the draft AQ EPP to the Minister for approval and forwarding to the Governor for authorisation and to fix a date on for when it comes into operation.
- 9 Refer to the Environment, Resources and Development Committee for consideration and laid before both Houses of Parliament.

### 3 Draft Environment Protection (Air Quality) Policy 2016

#### Clause by clause explanation

##### Part 1 – Preliminary

##### **Clause 1: Short title**

Clause 1 names the new policy, the *Environment Protection (Air Quality) Policy 2016*.

##### **Clause 2: Commencement**

Clause 2 provides the usual mechanism for the commencement of an Environment Protection Policy on a date fixed by the Governor by notice in the Gazette.

##### **Clause 3: Interpretation**

Clause 3(1) provides definitions for terms used throughout the AQ EPP. Any subsequent changes to this clause will be able to be made using the simpler procedure available under clause 18, Amendment of Policy by Gazette notice under section 32 of the EP Act.

Clause 3(2) establishes that a person emits a pollutant to air if a person does something that causes or allows a pollutant to be emitted or fails to prevent this happening.

Clause 3(3) establishes that burning in a domestic incinerator is also considered burning in the open for the purposes of this policy.

Clause 3(4) establishes that a mandatory provision in this policy followed by a category of offence shows that it is an offence, as established under Part 5 of the EP Act.

##### **Clause 4: Application of policy**

Clause 4(1) allows that this policy will not apply in relation to specified activities, including the destruction of property seized under the *Controlled Substances Act 1984* and activities undertaken in the course of firefighting, fire prevention, the training of fire fighters or fire investigators or any other authorised activity on behalf of fire or emergency services agencies or pursuant to an authority under the *Fire and Emergency Services Act 2005*.

Clause 4(2) provides that anyone holding an environmental authorisation (eg an EPA licence) under the EP Act prior to the commencement of this policy that could contravene this policy after its commencement, has a period of two years to comply with the policy (or to seek an exemption under the EP Act).

Clause 4(3) provides definitions for a 'firefighter' and 'fire-fighting'.

## Part 2 – Air quality measures

### Division 1 – Emissions of pollutants from premises

#### **Clause 5: Emissions of pollutants from premises**

Clause 5(1) sets maximum emission limits and requirements for specified pollutants and activities (set out under Schedule 1 of the AQ EPP). There is also an obligation to minimise emissions through properly maintaining and operating equipment (such as the stack, fuel-burning equipment, control equipment and other plant and equipment), through properly storing, processing, moving and handling goods and pollutants must only be emitted from the stack (if there is a stack) . This is a mandatory provision.

Clause 5(2) gives the EPA the power to fix a testing point at a premises (to which this clause applies) to evaluate stack emissions.

Clause 5(3) requires an occupier of a premises to ensure the testing point is kept in a suitable condition and available for use when requested.

Clause 5(4) provides that this clause does not apply to domestic activities or motor vehicles.

Clause 5(5) provides that under this clause the term ‘motor vehicle’ does not include cranes, vessels or locomotives.

### Division 2 – Localised ambient air quality objectives

#### **Clause 6: Localised ambient air quality objectives**

A number of factors determine the risk to communities from exposure to air pollution, including the amount of pollutant(s) emitted, the emission source(s), weather, topography, natural events and the size of the air shed (a geographical area where local topography and meteorology limit the dispersion of pollutants away from the area).

This clause provides the EPA with the ability to take a ‘whole-of-air-shed’ approach to managing specific areas of concern. The EPA may declare that localised air quality objectives apply for a specific area.

A person carrying on an activity in such an area must ensure that any pollutants named in the declaration do not exceed any ambient concentrations declared for that pollutant. This is a mandatory provision and it is an offence not to comply with the pollutant levels specified.

### Division 3 – Burning offences

#### **Subdivision 1 – Burning of matter in the open**

##### **Clause 7: Interpretation**

This clause states that a ‘prohibited substance’ is not considered to be ‘matter’ for the purpose of this subdivision.

##### **Clause 8: Burning of matter in the open**

Clause 8(1) establishes a general prohibition on burning in the open on premises within a council area. This is a mandatory provision.

Clause 8(2) prohibits burning in the open on roadways and related areas such as footpaths, traffic islands or median strips. This is a mandatory provision.

Clause 8(3) sets out exceptions to the general prohibition on burning in the open, including:

- for preparation of food or beverage

- for burning charcoal within a brazier, chiminea or fire pit for purpose of heating an outdoor area
- for recreational activities (such as barbecuing, picnicking, scouting or similar outdoor recreational activities on non-residential premises outside metropolitan Adelaide) provided that plant matter is dry and reasonable steps are taken to avoid burning within 200 m of adjacent residential premises
- for agricultural purposes (including the disposal of dead stock, crop stubble, diseased crops or waste resulting from clearing of land for farming on non-residential premises outside metropolitan Adelaide) and forestry waste provided that plant matter is dry and reasonable steps are taken to avoid burning within 200 m of adjacent residential premises
- for the disposal of gaseous waste such as gas flares on landfills (produced in the course of carrying on a prescribed activity of environmental significance)
- in a council area outside of metropolitan Adelaide where the EPA has declared that burning can take place in accordance with any specified conditions.

Burning of matter in the open is subject to any bans or other restrictions under the *Fire and Emergency Services Act 2005*.

Clause 8(4) defines 'agricultural waste'.

### **Clause 9: Council responsibility for burning of matter in the open**

Clauses 9(1) and (2) provide that the EPA can declare the prohibition on burning of matter in the open does not apply to specified council areas if the council applies for a declaration to be made. The application must be made in a manner and form determined by the EPA.

Clauses 9(3)–(7) set out the processes and procedures to be followed in making a declaration. The declaration may be for certain areas or include conditions relating to permitted periods of time for burning, the material or class of material that may be burnt, monitoring and enforcement of conditions by the council and reporting by the council to the EPA. A declaration has effect from the date of publication or date specified in the notice. The EPA has the power to vary or revoke a notice in the Gazette by a subsequent notice.

## **Subdivision 2 – Burning of prohibited substances**

### **Clause 10: Burning of prohibited substances**

This clause prohibits the burning of specified substances such as plastics, tyre waste and copper chromium arsenate (listed under Schedule 2), except where authorised under the EP Act. This is a mandatory provision.

### **Clause 11: Environmental harm**

The byproducts from burning prohibited substances (listed under Schedule 2) are hazardous and highly toxic. This clause states that emissions to the atmosphere of ash or other residual matter from burning of a prohibited substance constitutes *environmental harm* for the purposes of section 5(1)(b) of the EP Act.

## **Division 4 – Solid fuel heaters**

### **Clause 12: Sale of solid fuel heaters**

Solid fuel heaters (such as wood heaters) that comply with approved standards relating to emissions, and are operated and installed correctly are more efficient and will produce less pollution.

Clause 12(1) sets out requirements for the sale of solid fuel heaters, including that a heater must not be sold unless it has been marked in accordance with an approved solid fuel heater standard, a certificate of compliance exists in relation to the heater, and a copy of the certificate is given to the purchaser (where the heater is sold to a person whose business includes the wholesale or retail sale of heaters). An approved solid fuel heater standard includes the *Australian*

*Standard AS/NZS 4013*, or a standard from an overseas jurisdiction that is approved by the EPA as being equivalent to or more stringent than the Australian Standard. This is a mandatory provision.

Clause 12(2) provides that this requirement only applies to the extent that the approved standard applies to heaters of that model.

Clause 12(3) provides that this requirement does not apply when the heater is a fixture in a premises that is being sold.

**Clause 13: Installation of solid fuel heaters**

Clause 13(1) requires that a person must not install a heater unless it is marked in accordance with an approved solid fuel heater standard (emissions) and all mandatory requirements in the standard in relation to the installation of the heater are complied with. This is a mandatory provision.

Clause 13(2) provides that any mandatory requirements for installation only applies to the extent the standard applies to heaters of that model.

Clause 13(3) requires that heaters are installed in accordance with the *Australian Standard AS/NZS 2918:2001 Domestic solid fuel burning appliances – Installation*.

**Clause 14: Interference with solid fuel heaters**

Clause 14(1) requires that where a person has a heater that has a certificate of compliance, a person must not alter the structure, exhaust system or air inlet of their heater. A person is prohibited from stating (via a marking on the heater) that a heater is compliant with an approved solid fuel heater standard if it is not. This is a mandatory provision.

Clause 14(2) provides that genuine repair work can be carried out on a heater.

**Clause 15: Prevention of excessive smoke**

Clause 15(1) requires that a person using a heater must ensure that excessive smoke is not emitted to the air.

Clause 15(2) provides a test for excessive smoke from a heater. The key elements in determining what constitutes excessive smoke include:

- a visible plume of smoke that extends into the air from the flue/chimney for at least 10 minutes; and
- for at least 30 seconds of that period the plume extends into the air from the flue/chimney for at least 10 metres.

While this is not a mandatory provision, this test may be employed by compliance officers to determine whether an environmental nuisance is occurring and an environment protection order should be served.

**Clause 16: Sale of green firewood, etc**

Clause 16(1) requires that a person must not sell firewood or other solid fuel (such as briquettes) for use in a solid fuel heater if that fuel has an internal moisture content higher than 20%. An exception to this requirement is sale to a wholesaler or retailer of firewood/other solid fuel.

Clause 16(2) requires a retailer to store solid fuel with high moisture content separately from suitable fuel and requires that this fuel is marked 'not available for sale'. This requirement is to avoid confusion between fuel that is suitable for sale and fuel which is not suitable for sale.

Clause 16(3) allows the EPA to determine protocols and equipment required to measure the internal moisture content of fuel for sale. The clause also provides that the moisture content of a pile of wood or other solid fuel offered for retail sale is greater than 20% if the average internal moisture content of at least 10 randomly selected pieces of fuel is greater than 20%.

### Part 3 – Matters relating to Part 5 of Act

#### **Clause 17: Amendment of policy by Gazette notice under section 32 of the EP Act**

The draft AQ EPP refers to a number of other statutory instruments and guidelines which are updated regularly. This provision allows for the EPP to be more easily amended to reflect any changes to these instruments.

Clause 17 sets out the provisions that may be amended without following the normal procedures under section 32(1)(c) of the EP Act.

Clause 17(1) allows the Minister to amend the policy by notice in the Gazette including:

- to declare that localised air quality objectives apply to a particular area or areas, and to declare or modify an activity, pollutant or ambient pollutant level for the area or areas.
- to modify Schedules 1–4 of the AQ EPP.
- as a consequence of an amendment to the EP Act or the making, variation, revocation of regulations and environment protection policies.
- the amendment, revocation or substitution of another Act, or codes, standards, guidelines or other documents referred to in the policy.

Clause 17(2) requires that it be a textual amendment and as such includes deleting, substituting or inserting a provision into the policy.

Clause 17(3) requires the EPA, when making a recommendation to the Minister on an amendment, to:

- a make the recommendation in writing, explaining the purpose and likely impacts
- b outline who has been consulted in the proposal
- c outline the views expressed by those consulted and how those views were addressed.

### Part 4 – Matters relating to Part 6 of Act

#### **Clause 18: Matters relating to Part 6 of Act**

Part 6 of the EP Act provides for environmental authorisations and development authorisations. The EPA is required to have regard to a range of factors when assessing whether to authorise an activity or development, including the requirements of any relevant environment protection policies.

Clause 18 of the draft AQ EPP provides further detail on air quality related factors the EPA is required to have regard to when assessing environmental authorisations or development authorisations.

Clause 18(a) requires the EPA to take into account the ground level concentrations of specified pollutants under Schedule 3 when considering whether an activity or development is likely to impact on ground level ambient air quality. These pollutant concentrations may be determined either through monitoring or modelling in accordance with relevant EPA guidelines (including the *Ambient air quality assessment guideline* and/or *Emission testing methodology for air pollution*) or using another method approved by the EPA.

Clause 18(b) requires the EPA to take into account whether an activity or development could exceed the number of odour units specified under Schedule 4 using the modelling or monitoring technique for odour measurement set out in the *Odour assessment guideline*.

Clause 18(c) requires the EPA to consider whether an activity or development could result in air pollution in any other manner.

Clause 18(d) requires that where an authorisation (eg a licence) is granted, the EPA must consider any other requirements that will prevent or minimise air pollution or its harmful effects.

Clause 18(e) requires that in considering requirements under clause 17(d), the EPA must take into account:

- requirements under the EPA *Guidelines for separation distances*.
- any other relevant code, standard, guidelines or document referred to under this policy.
- in the case of an exemption to a provision of this policy, whether the exemption should be subject to a condition that requires a monitoring and reporting program to be carried out, and if necessary that the program be independently checked and verified and the results made available to the EPA.

### **Schedule 1 – Stack emissions [clause 5(1)(a)]**

This schedule provides maximum pollutant levels for specified pollutants emitted from stacks. These are largely based on updated levels set out under Schedule 1 (Maximum pollution levels) of the current AQ EPP.

### **Schedule 2 – Prohibited substances**

This schedule provides for the pollutants that are illegal to burn in the open. They are generally hazardous wastes or release toxic gases if burnt.

### **Schedule 3 – Ground level concentrations [clause 18(a)]**

This schedule sets out maximum ground level concentration of pollutants. The pollutants and ground level concentrations in this schedule are based on the EPA Guideline *Air Quality impact assessment using design ground level pollutant concentrations (DGLCs)*.

### **Schedule 4 – Odour levels [clause 18(b)]**

Odours have the potential to cause significant impacts on people's lives and adversely affect their health and amenity. This schedule sets out population based maximum odour levels and is based on the EPA Guideline *Odour assessment using odour source modelling*.

### **Schedule 5 – Revocation of environment protection policies**

The draft AQ EPP consolidates a series of legislative instruments into one instrument. As a result, this schedule provides for the revocation of:

- a the *Environment Protection (Air Quality) Policy 1994*
- b the *Environment Protection (Burning) Policy 1994*
- c the environment protection policy constituted of the *National Environment Protection (Ambient Air Quality) Measure 1998*
- d the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002*
- e the *Environment Protection (Solid Fuel Heaters) Policy 2015*.

## Further information

### Legislation

[Online legislation](#) is freely available. Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet  
Adelaide Service SA Centre  
108 North Terrace  
Adelaide SA 5000

Telephone: 13 23 24  
Facsimile: (08) 8204 1909  
Website: <[shop.service.sa.gov.au](http://shop.service.sa.gov.au)>  
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### General information

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