

Response to Submissions Received

Draft UPSS Regulations 2020

The draft *Environmental Management and Pollution Control (Underground Petroleum Storage Systems) Regulations 2020* (UPSS Regulations) were released for public comment on 26 October 2019 for a three-week period.

Submissions

Eleven submissions were received from the following stakeholders:

- 2 loss monitoring providers (one of which is also an Equipment Integrity Testing (EIT) provider)
- Service station related parties (7)
 - 3 large international/national companies
 - 2 Tasmanian companies with multiple sites
 - 1 small operator (single site)
 - 1 industry body
- 1 environmental consultant
- 1 government department

The agency appreciates the time people took to review and supply comment on the draft UPSS Regulations. The majority of submitters stated their support for regulations that protect the environment and submitters appreciated the opportunity to comment.

Proposed changes to regulations

Changes to the regulations aimed to:

- Remove clauses that have expired – such as transitional provisions
- Simplify the registration of sites for the landowner
- Clarify clauses which have caused confusion, including responsibilities of various parties, when actions need to occur, etc
- Allow a better system for the tracking of compliance
- Ensure that high levels of petroleum product in groundwater are notified to the Director EPA

Response to submissions

A number of suggestions in the submissions have been adopted in the final version of the UPSS Regulations:

- The ability to temporarily decommission UPSS has been added back into the regulations, noting that this option was available via an exemption in the draft.
- Reporting EIT fails and three consecutive months of loss monitoring fails by the service provider has been removed.
- Protocols relating to equipment integrity tests and loss monitoring will be circulated for comment prior to their introduction.

Forms will be released on the EPA website as pages are updated. Forms will reflect requirements in the Regulations. Any comments on the forms can be submitted to the EPA via contaminatedsites@epa.tas.gov.au.

Some submissions proposed changes that weaken the requirements stated in Australian Standard *The design, installation and operation of underground petroleum storage systems (AS4897-2008)*. Requirements in Australian Standards have been adopted in the Regulations as the minimum standard required. This includes the requirement to undertake an equipment integrity test on new/repaired tanks after all sites works including paving have been completed.

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