

ENVIRONMENTAL PROTECTION AUTHORITY — APPROVALS — NONCOMPLIANCE

3185. Mr C.J. Tallentire to the Minister for Environment:

- (1) How many noncompliances of environmental approvals under part IV of the *Environmental Protection Act* have been reported or detected in each financial year since 2008–2009, and to date?
- (2) In each case, were they detected by the Office of the Environmental Protection Authority or self-reported?
- (3) In each case, what company or project was involved and what was the exact nature of the non-compliance?
- (4) In each case, did the noncompliance involve an on-site investigation?
- (5) In each case, was a prosecution initiated for the noncompliance and what was the outcome?
- (6) What penalties apply for noncompliance, and when were they last increased?
- (7) How many approved projects does the OEPA consider as active proposals?
- (8) Of these active approvals, what percentage is annually checked?
- (9) What is the nature of the check?
- (10) Is the operator warned of the check?

Mr A.P. Jacob replied:

(1)

2008–09	5
2009–10	22
2010–11	47
2011–12	26
2012–13	28
2013–14	51
2014–15	6 (as at 1 January 2015)

(2) – (3) [See tabled paper no 2516.]

- (4) No
- (5) No. None of the non-compliances were considered to have caused a significant impact on the environment and many related to administrative matters.
- (6) Penalties for a breach of condition are, for a body corporate up to \$250 000 or daily penalties up to \$50 000 and for an individual \$125 000 or daily penalties up to \$25 000. Penalties have not been amended since 1998.
- (7) Approximately 500.
- (8) Approximately 60 proposals are subject to detailed audits annually under a structured compliance program. These are generally proposals that are considered to pose the highest risk to the environment. Additionally compliance reports of approximately 300 proposals are reviewed between annually and five yearly based on the significance of likely impacts of the proposal.
- (9) The audits involve a detailed review of the proposals management plans, environmental monitoring results, compliance reports and correspondence. Site verification inspections are conducted as required.
- (10) The operator is notified should a site inspection be required to ensure appropriate personnel are available.