

# Review of licence management guidelines: Response to submissions from August 2017 consultation



Environment  
Protection  
Authority Victoria

Publication 1675, November 2017

EPA reviewed all of our standard licence conditions in the first half of 2017 as part of a periodic review program. The reviews were carried out in consultation with industry members, with the final updated conditions published on our [website](#) in November 2017.

Licence Management ([EPA Publication 1322](#)) lists standard conditions and details how to comply with each licence condition.

The submissions' key themes and EPA responses for each licence condition are presented below.

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## LI\_G2

You must immediately notify EPA of non-compliance with any condition of this licence by calling 1300 EPA VIC (1300 372 842), sending an email to [contact@epa.vic.gov.au](mailto:contact@epa.vic.gov.au), or using the EPA Interaction Portal.

### Submissions' key theme

- Submissions indicated that 24 hours may not be enough time to notify EPA for some licence breaches, because the EPA's interaction portal can be quite time-consuming. The submissions suggested that notification instead be 'as soon as is practicable'.

### EPA's response

- We want to know about licence breaches within 24 hours so we can help licence holders to manage them. The notification process has therefore been clarified to help licence holders notify us as early as possible, either by phone or email or through the portal.
- An EPA notification can be as simple as just stating what the suspected licence breach is, via an email or a phone call, and outlining the next steps that you plan to take. It doesn't have to include extensive research or detailed reports, and can thus be done as soon as a problem is noticed.

## LI\_G4

Documents and monitoring records used for preparation of the annual performance statement must be retained for five years from the date of each statement, and be able to be immediately produced upon request by an officer of the Authority.

### Submissions' key theme

- A few submissions noted that some documents (such as paper waste transport certificates) tend to be stored offsite and therefore cannot be made available on request during a surprise inspection.

### EPA's response

- The supporting text has been updated to cover this issue, see [EPA Publication 1322](#).

## LI\_G5

You must establish and implement a risk-based monitoring program that enables you and EPA to determine compliance with each condition of this licence. The monitoring program must comply with the requirements of the monitoring guidelines (EPA publication 1321.2, released June 2011).

### Submissions' key theme

- Submissions reflected a perception that the alignment of monitoring programs with EPA Publication 1321.2 is a new requirement that they will require additional time to meet.
- They also noted the requirement to establish a monitoring program within 12 months is restrictive.

### EPA's response

- EPA Publication 1321.2 was published in 2011 and is referred to consistently in licence management guidelines. It states that licence holders must establish and implement risk-based monitoring programs in order to demonstrate compliance with their licence. This is not a new requirement for licence holders.

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- If a monitoring program cannot be established within 12 months, licence holders should proactively inform EPA so that we can determine whether this represents non-compliance.

## LI\_A3, LI\_DA2, LI\_DA2.1

See [EPA Publication 1322](#) for new wording for these conditions.

### Submissions' key theme

- Submissions highlighted a possible contradiction in the wording of conditions LI\_A3 and LI\_DA2.

### EPA's response

- The wording of both LI\_A3 and LI\_DA2 have been changed to take all licence conditions into account.

## LI\_WA1

You must ensure all of the following:

- a) Only waste of a type shown in Schedule 2 of this licence is accepted at the premises; and
- b) If it is identified that any waste has been received at the premises that is of a type not shown in Schedule 2 in contravention of paragraph a) above, such waste must be placed in a designated and sign-posted temporary storage area and sent for disposal to a site licensed by EPA to receive such waste within 21 days of the date it was received.

### Submissions' key theme

- A banded quarantined area might not be the best way to handle all types of waste (e.g. asbestos, which should be barricaded and minimally transported).

### EPA's response

- The wording was modified to 'appropriately banded'.

## LI\_WM4

You must ensure that waste does not burn at the premises.

### Submissions' key theme

- Burning is sometimes appropriate (e.g. pine plantation clearing), so a clarification should be included about the types of burning that are allowed.
- Clarification is required as to whether an accident would represent a breach of licence.

### EPA's response

- This condition only applies to waste. Other types of burning are not included and can still take place if approved by the appropriate authority.
- Accidents should be prevented by appropriate fire management plans, as described in the supporting text.