



DRAFT Code of Practice for Vessel and Facility Management: Marine and Inland Waters

February 2005

This information provides an overview of the content of the 'DRAFT Code of Practice for Vessel and Facility Management: Marine and Inland Waters', which aims to protect South Australia's aquatic environments from pollutants.

Introduction

Since the introduction of the *Environment Protection (Water Quality) Policy 2003* (Water Quality Policy), which brought South Australia in line with the National Water Quality Management Strategy, the focus on protecting our water resources has been strong. In an effort to reduce pollutants entering our waterways from high environmental risk activities, the EPA has facilitated the production of a series of new codes of practice, one of which is the 'DRAFT Code of Practice for Vessel and Facility Management: Marine and Inland Waters'.

Implications for all

Every person, business and industry has general obligations under the Water Quality Policy:

- to avoid discharging or depositing waste or listed pollutants into any waters, bores and mine shafts or onto land where it might enter the water
- not to cause environmental harm
- not to contravene the water quality criteria in the policy, unless the EPA is satisfied that a mixing or attenuation zone can be established
- not to exceed discharge limits.

In addition, owners and users of vessels on inland waters, along with other industries and businesses, have specific obligations outlined below relating to their activities.

About codes of practice

A code of practice is a regulatory tool designed to further explain how owners and operators can comply with the requirements of the Environment Protection Act and associated policies. It informs you of, and provides advice about, things that can cause environmental harm and regulations to prevent that harm.

A code describes what you **'must'** or **'must not'** and what you **'should'** or **'should not'** do in order to help you to protect the environment. Agents authorised under the Environment Protection Act can enforce the **'must'** or **'must not'** requirements of a code of practice through the issuing of environment protection orders.

Scope of this code

This code applies to people, organisations and agencies that own, operate and use vessels, vessel construction and maintenance facilities (including launch facilities), and vessel storage facilities (including marinas and boat/yacht clubs) within the state waters of South Australia. State waters include inland waters, estuarine and marine waters (which include coastal state and territorial waters vested in the state).

What the code covers

- **Vessel and vessel facility structural design**
This section outlines structural measures to avoid pollution from vessels and vessel facilities. Measures cover dry dock storage, dredging strategies, listed waste and pollutants (storage, treatment and disposal) and stormwater runoff.
- **Vessel and vessel facility operations**
This section outlines operational measures to avoid pollution from vessels and vessel facilities. Measures cover choosing appropriate locations for listed waste and pollutant producing activities, educating facility users, recording and reporting on environmental incidents, works performed, waste tracking and developing spill response strategies.
- **Vessel wastewaters**
This section outlines requirements for blackwater (sewage), greywater, bilge water and ballast water management. This includes a strict zero discharge requirement for vessels whilst travelling on state waters (to take effect immediately for blackwater and to be progressively required for greywater). Bilge water in all vessels must be treated for hydrocarbons, and ballast water on domestic travelling vessels must be managed appropriately.
- **Mechanical activities and wastes**
This section outlines requirements for engine maintenance and repair works, engine parts cleaning, waste oil, batteries, fuels and emissions. Measures cover where and how you can perform these activities, and when you must recycle wastes.
- **Vessel hull maintenance and cleaning**
This section outlines requirements for vessel cleaning (including in-water hull cleaning), abrasive blasting, scraping, sanding and pressure-water blasting. Measures cover obtaining EPA licences where necessary, preventing in-water cleaning with detergents, containing over spray and waste materials, vacuum equipment and protective floor linings.

- **Vessel surface coating**
This section outlines requirements for fibreglassing, painting, varnishing, welding and metal fabrication. Measures cover performing works in contained areas with mechanical ventilation, minimum filtration standards, prohibition of organotin marine paints, and managing vessels with organotin painted hulls.
- **Vessel recovery (sunken or abandoned)**
This section outlines measures to undertake in order to prevent pollution from sunken or abandoned vessels, such as removing vessel fluids (fuel) and mechanical equipment.

All persons involved in managing vessel and vessel facilities should obtain a complete copy of the code of practice by using the options listed at the end of this information sheet.

It is proposed that this code of practice will repeal the *Code of Practice for Vessels on Inland Waters* once gazetted.

Enforcement

The Water Quality Policy sets out specific obligations and requirements; these are mandatory provisions and may be enforced on people and businesses by authorised officers in several ways:

1. by issuing an environment protection order (EPO) to gain compliance with the policy
2. by issuing an expiation notice (on-the-spot fine) of \$300 for a breach of a mandatory provision
3. by issuing an EPO and also issuing an on-the-spot fine for a breach of a mandatory provision
4. by issuing an on-the-spot fine for failing to comply with an EPO
5. by prosecuting through the court (maximum penalty \$30,000).

Fines may apply if the action has been shown to be negligent, even if the offence was accidental.

Failure to comply with specific requirements in a code of practice linked to an environment protection policy may result in the issuing of an EPO. An EPO may require that a person or agency take specified action within a defined period. Authorised officers from the EPA, local councils, and other government authorities may enforce the environment protection policies.

FURTHER INFORMATION

For further information please contact:

Information Officer

Telephone: (08) 8204 2004

Environment Protection Authority

GPO Box 2607

Facsimile: (08) 8204 9393

Adelaide SA 5001 Freecall (SA non-metropolitan callers): 1800 623 445

Internet: www.epa.sa.gov.au

Disclaimer: This document has been prepared to provide information relevant at the time of publishing. It is not a regulatory document. If you need more information regarding legal obligations consult a lawyer, the legislation, the Environment Protection Authority (EPA) or your local council.