

South Australia

Environment Protection (Water Quality) Amendment Policy 2018

under section 28 of the *Environment Protection Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provision

Part 2—Amendment of *Environment Protection (Water Quality) Policy 2015*

- 3 Insertion of clause 13A
 - 13A Prohibited firefighting foam and foam products
-

Part 1—Preliminary

1—Short title

This policy may be cited as the *Environment Protection (Water Quality) Amendment Policy 2018*.

2—Amendment provision

In this policy, a provision under a heading referring to the amendment of a specified policy under the *Environment Protection Act 1993* amends the policy so specified.

Part 2—Amendment of *Environment Protection (Water Quality) Policy 2015*

3—Insertion of clause 13A

After clause 13 insert:

13A—Prohibited firefighting foam and foam products

- (1) A person must not use, or cause or permit the use of, a prohibited firefighting foam.
Mandatory provision: Category A offence.
 - (2) A person must not fill, or cause or permit the filling of, a fire extinguisher with a prohibited firefighting foam product.
Mandatory provision: Category B offence.
-

- (3) A person who refills, or causes or permits the refilling of, a fire extinguisher must ensure that, before transitioning the fire extinguisher from a prohibited firefighting foam product to a firefighting foam product that is fluorine-free—
- (a) the fire extinguisher is thoroughly cleaned so as to remove, as far as reasonably practicable, any residual prohibited firefighting foam product or prohibited firefighting foam; and
 - (b) any prohibited firefighting foam product, prohibited firefighting foam or wastewater produced in the cleaning process is collected, securely contained and disposed of to a facility, or stored in a manner, approved by the Authority.

Mandatory provision: Category B offence.

- (4) A person must not supply a firefighting foam product unless the producer's certification of its fluorine content is clearly displayed on a label or document provided with the product.

Mandatory provision: Category B offence.

- (5) Subclause (1) does not apply until the relevant day in relation to the use of a prohibited firefighting foam by means of—
- (a) a large fire extinguisher; or
 - (b) a small fire extinguisher, provided that the firefighting foam product used to produce the prohibited firefighting foam was in the fire extinguisher before the commencement of this clause.
- (6) Subclause (2) does not apply until the relevant day in relation to the filling or refilling of a large fire extinguisher.

- (7) In this clause—

class A fire means a fire involving ordinary combustibile material (other than liquids or gases) including wood, paper, cloth, plastics, rubber or other material comprised of organic carbon based compounds;

class B fire means a fire involving flammable or combustibile liquids (and their fumes) including gasoline, petroleum, grease, oils, paints or other material with a low flashpoint;

fire extinguisher means a small fire extinguisher or large fire extinguisher;

firefighting foam means foam for preventing, controlling or extinguishing a class A or class B fire;

firefighting foam product means a concentrate or aqueous solution for use in a fire extinguisher for the production of firefighting foam;

large fire extinguisher means a fire extinguisher with a capacity of 90L or more, and includes—

- (a) a fire extinguishing system on a fire truck; and

- (b) an on-site fixed fire extinguishing system; and
- (c) any pumps, pipes, hoses, nozzles, sprinklers, storage containers and any other equipment associated with such systems;

prohibited firefighting foam means firefighting foam produced from a prohibited firefighting foam product;

prohibited firefighting foam product means a firefighting foam product that contains a fluorinated organic compound or compounds, but does not include a firefighting foam product that is fluorine-free;

relevant day means the second anniversary following the day fixed by the Governor for this clause to come into operation;

small fire extinguisher means a fire extinguisher with a capacity of less than 90L, and includes a hand-held or mobile fire extinguisher.

Made by the Governor

with the advice and consent of the Executive Council
on 30 January 2018

18MSECCS003