

Requesting Permission to Discharge a Controlled Extinguishing Agent



Australian Government

Department of the Environment and Heritage

Supporting licensing under the provisions of the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*

April 2006

Note: This Fact Sheet was produced by the Fire Protection Industry (ODS & SGG) Board in conjunction with the Department of the Environment and Heritage to aid the implementation of new regulations. Regulations are subject to change and update and the official, current version of regulations should be used for legal interpretation. You are advised to seek further advice from the Department of the Environment and Heritage in regard to *specific* interpretations of the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* and any matter regarding the implementation of the *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*.

In December 2003 the Federal Parliament amended the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* (the Act). The amendment extended the scope of legislation to:

- incorporate import and export controls on synthetic greenhouse gases (SGG) used as replacement for ozone depleting substances used in "Montreal Protocol Industries" (Refrigeration and Air-conditioning, Fire, Solvents, Foam, Aerosols etc); and
- implement emission minimisation policies including nationally consistent end use controls on purchase, sale, handling and disposal of synthetic greenhouse gases and ozone depleting substances (SGG and ODS) and the licensing of people working with these substances.

Section 45B of the *Ozone Protection and Synthetic Greenhouse Gas Management Act 1989* prohibits the discharge of listed ODS and SGG fire extinguishing agents, where it is likely that the extinguishing agent will enter the atmosphere, unless the discharge is in accordance with the regulations.

This Fact Sheet outlines the procedures to follow in regard to requesting permission from the Fire Protection Industry (ODS & SGG) Board to discharge extinguishing agents covered by the Act in a manner that is permitted by the regulations.

Note that the regulations allow the discharge of an extinguishing agent for its design purpose - namely extinguishing a fire.

Request to Discharge a Scheduled Substance: ODS and SGG fire extinguishing agents

In order to request permission from the Board to discharge ODS and SGG fire extinguishing agents an application must be submitted in writing providing the information as follows:

I [name] _____ of

[address] _____

hereby apply to the Fire Protection Industry (ODS & SGG) Board in accordance with s305 of the Regulations for permission to be granted by the Commonwealth Department of the Environment and Heritage for the discharge of ODS and SGG fire extinguishing agents to be carried out as follows:

Reason for the proposed discharge:

Location of the proposed discharge:

Number of proposed discharges:

Quantity of each substance in each discharge:

Proposed Date of discharge:

Further information in regard to s 305 (4):

- *relevant training/experience of the applicant*

Statement by Applicant

I believe that there is no alternative to the proposed discharge that is:

- *practicable, and*
- *available at a reasonable cost, and*
- *safe, and*
- *likely to result in less damage to the environment.*

Add supporting statements/evidence to support your claim as necessary.

Signature of Applicant: _____ Date: _____

Name of Applicant: _____

Note

Please be aware that if this application is approved it will be a 'one-off grant of permission' and that such approval does not set a precedent for future similar requests (all requests shall be considered on individual merit at the time of application).

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FPA Australia, a not-for-profit member association, is Australia's major technical and educational fire safety organisation. FPA Australia was selected in 2004 to be the implementing agency on behalf of the Department of the Environment and Heritage in regard to the ***Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995***.

FPA Australia plays a pivotal role in providing authoritative advice and information on all aspects of fire safety and emergency management through a range of services to industry, commerce and the community at large. The Association also provides a forum for bringing together practitioners and professionals who deliver a broad range of products and services.

FPA Australia's prime objective is the best possible fire safety for the community. The Association also provides a wide range of services to its members and has a permanently staffed national office.