

Environment Protection Authority

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ENVIRONMENT PROTECTION AUTHORITY

18 October 2022

Mr Duncan Spender
Chief Executive Officer
Oysters Tasmania
117 Sandy Bay Road
SANDY BAY TAS 7005

Email: ceo@oysterstasmania.org

Dear Mr Spender

FEEDBACK AND CONCERNS REGARDING EPA REGULATION OF TASWATER

Thank you for your correspondence received 13 July 2022. Since your letter, I note Joe Tranter, Manager Contaminated Land and Waste Regulation, has presented on the EPA's function and focus at Oyster's Tasmania Shellfish Future's Conference in September 2022.

In your letter, and from feedback received at the conference, I note concerns regarding the EPA's enforcement of environmental law and a need for a higher level of regulatory oversight particularly in the context the impact of sewage pollution on oyster farming activities. I take these matters seriously.

I am particularly concerned regarding your suggestion that environmental offences have been committed but are not properly dealt with. In order to address this matter, I have commenced a review of sewage overflow incidents with a view to determining whether offences in relation to these matters are occurring. Once the review is complete, I will respond to you with the outcome of that review and any further action the EPA will take.

I also note your comments regarding contingency arrangements with some Wastewater Treatment Plants (WWTPs) regulated by the EPA. The EPA's audit program of 2022-23 will prioritise audits at Cambridge and St Helen's Wastewater Treatment Plants particularly with respect to contingency management arrangements. This work will be undertaken as part of the EPA's broader compliance monitoring program of larger ("level 2") WWTPs.

The EPA is well advanced in the development of its compliance and enforcement policy. It is anticipated that the finalised framework will be made publicly available via EPA's website by the end of the year. It is likely that the scope of the framework will cover the full range of regulatory tools available, including informing, advising, supporting, and encouraging people and entities, setting standards, monitoring compliance, and enforcing the law. Further, it is likely that the policy will accommodate the exercise of discretion in the EPA's approach to environmental regulation.

I thank you again for raising these concerns and for your suggestions on the EPA's approach to compliance and enforcement. If you have further feedback, this can be provided by writing to Cindy Ong, Director Environmental Regulation at Cindy.Ong@epa.tas.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Wes Ford'.

Wes Ford

DIRECTOR ENVIRONMENT PROTECTION AUTHORITY

cc: Eric Brain, Manager – Aquaculture Marine Resources, NRE, eric.brain@nre.tas.gov.au