ERA Code

Environmental Protection Act 1994

Environmentally relevant activity code for sewage pump stations

This code includes the conditions a person must comply with under Section 551A of the Environmental Protection Act 1994 to undertake the code-managed ERA of operating a sewage pumping station.

This environmentally relevant activity (ERA) code has been developed under Section 551A of the *Environmental Protection Act 1994* (EP Act) and includes the conditions a person must comply with to undertake code-managed ERA XXX – Sewage treatment – operating a sewage pumping station ERA63(2).

Code-managed ERA XXX – Sewage pump stations is defined within Schedule XX of the Environmental Protection Regulation 2019 as:

> For ERA 63 Sewage treatment, the code-managed ERA (the ***relevant activity***) consists of operating a sewage pumping station, where the relevant activity:
>
> (a) has a total design capacity of more than 40kL in an hour; and
>
> (b) is not an essential part of the operation of sewage treatment work under ERA 63(1a); and
>
> (c) intends to operate within a sewerage network, pumping to a sewage treatment plant.

A person who is carrying out the activity under this ERA code must register the operation of the code-managed sewage pump station and must not contravene the code. Failure to register, or to comply with this ERA code, is an offence under the EP Act.

If you cannot meet the definition of the relevant code-managed ERA or are unable to comply with the conditions of this ERA code, you must obtain an environmental authority (EA) prior to commencing the activity. Under section 426 of the *Environmental Protection Act 1994*, it is an offence to carry out an ERA, other than a code-managed ERA, without an EA.

Mandatory conditions

A	General
A1	All reasonably practicable measures must be taken to prevent or minimise environmental harm caused, or likely to be caused, by the activity.
B	**Environmental risk management procedures**
B1	The activity must be undertaken in accordance with site-specific written procedures developed and implemented by an appropriately qualified person which ensure: a) all potential risks to the environment from the carrying out of the activity are identified and assessed, including: i) during routine operations; and ii) outside routine operations (e.g., maintenance, start up and shut down); and iii) during preparation, rehabilitation, and closure; and iv) in an emergency (e.g. fire, flood or other natural disaster); and

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	b) for each potential risk identified, any necessary measures (contingencies) to prevent or minimise the potential for environmental harm are implemented; and c) appropriate response to an emergency situation, including: i) remediation and clean-up of areas affected by sewage releases; and ii) a receiving environment (surface waters/land) monitoring program to examine and assess environmental impacts; and d) staff understand their obligations under this ERA code and the *Environmental Protection Act 1994*; and e) environmental risk management procedures are reviewed, at least every two years and improved where necessary; and f) identification of the part of the environment to which a sewage release may occur (for example, for water bodies, a description of where contaminants may enter the particular water body).
C	**Contaminant release to land or water**
C1	Sewage must not be released to land or waters as a result of the activity unless all reasonably practicable measures have been taken to prevent the release. *Note: The administering authority acknowledges that a historical design standard for sewerage system capacity is three to five times average daily dry weather flow and that overflows may occur in wet weather when the design capacity of the sewerage system is exceeded. Effective infiltration and ingress management programs must be implemented to minimise stormwater inflow into the sewerage system.*
C2	The administering authority must be notified as soon as reasonably practicable, but no more than 24 hours after becoming aware of a sewage release that: a) poses a threat to public health (for example, contamination of waters with recreation values); or b) results in any observable environmental impact (for example, fish kill, distress to wildlife, marine plants or other aquatic life); or c) involves discharge to, or is likely to impact upon, a sensitive environment (for example, Ramsar wetland, marine park, or area designated as a conservation zone under a relevant planning scheme); or d) is 10,000L or more during dry weather.
C3	As soon as reasonably practicable but no later than 20 business days (or a longer period agreed to in writing by the administering authority) after a report is made under condition C2, an investigation must be undertaken to determine: a) the potential circumstances and actions that may have contributed to the event; and b) measures that will be implemented to address the cause of the sewage release to prevent future events of this nature; and c) actions taken under the emergency response plan and condition B1, such as a receiving environment (surface waters/land) monitoring program.

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C4	As soon as reasonably practicable but no later than 20 business days (or a longer period agreed to in writing by the administering authority) after investigating an event under condition C2, the measures identified in the investigation must be implemented.
D	**Plant and equipment**
D1	An appropriately qualified person must install, operate, calibrate, and maintain the plant and equipment required to carry out the activity (including monitoring devices) in a proper and effective manner.
E	**Reporting and record keeping**
E1	The operator must record, compile, and keep, the following, and must present this information to an authorised person or the administering authority when requested, as soon as reasonably practicable but no later than 5 business days after receiving the request (or a longer period agreed to in writing by the administering authority): a) all maintenance and monitoring results, plans and documents required by this code; and b) details of the installation, calibration and maintenance of plant and equipment; and c) details of all complaints received, and actions that have been undertaken to resolve the complaints; and d) details of any contravention of a condition of this code, which must include the nature and circumstances of the contravention, any immediate actions taken, the outcome of the investigation carried out and the measures implemented; and e) outcomes of investigations carried out under condition C3 and the measures implemented under condition C4.
E2	Unless otherwise specified by a condition of this code, records must be: a) kept for the period outlined in *Table 1 – Record keeping requirements*; and b) provided to the administering authority upon request and in the format requested. **Table 1 – Record keeping requirements** **Description of records** / **Retention requirement** Monitoring results / Retain for 15 years All other records / Retain for 5 years
F	**Flooding**
F1	All reasonably practicable measures must be taken to ensure that essential operational components of pumping stations which may be damaged by flooding, are protected from inundation, relocated, or removed during a 1% Annual Exceedance Probability (AEP) flood event. This requirement applies to pumping stations that have: a) been commissioned since 9 November 2012; or b) had a major upgrade since 9 November 2012.

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G	General release record keeping
G1	A record must be kept of all releases (notifiable and other) from the pump station, clearly identifying: a) the waste water treatment plant which the pumping station is connected to; b) the date and volume (or estimate of the volume) of each release; c) the location of each release by lot and plan; d) if the release was reported under ss. 320-320G of the *Environmental Protection Act 1994*.

General Obligations

In addition to the requirements found in the conditions of this ERA code, the person must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the person must comply with the following provisions of the Act:

- the general environmental duty (section 319), including special provision for activities involving industrial chemicals (section 319A);
- duty to notify environmental harm (section 320-320G); and
- duty to restore the environment (section 319C).

Unless specifically authorised by a condition of this ERA code, this ERA code does not authorise:

- an act that causes serious or material environmental harm (sections 437 – 439) or an environmental nuisance (section 440);
- an act that contravenes a noise standard (section 440Q);
- a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG of the EP Act; or
- placing a contaminant where environmental harm or nuisance may be caused (section 443).

For more information search ‘operating under an ERA code’ on the Business Queensland webpage (www.business.qld.gov.au).

Relationship with Other Legislation

This code does not remove, replace, or limit the need to comply with other relevant Commonwealth, State or local government legislative requirements.

Definitions

Defined terms in this document are underlined the first time they appear, and their definitions are provided in Appendix 1.

References to Other Documents

References in this document to laws, regulations, standards, policies, programs, guidelines and similar documents and instruments are to the current version of those documents and instruments, as amended or replaced from time to time.

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Appendix 1: Definitions

Where a term is not defined in this document, the definition in the *Environmental Protection Act 1994* or the *Waste Reduction and Recycling Act 2011*, their regulations and environmental protection policies, then the *Acts Interpretation Act 1954* then the Macquarie Dictionary should be used in that order.

Term	Definition
activity	the code-managed environmentally relevant activity to which this ERA code relates. An activity may be undertaken on the whole or a part of a site.
appropriately qualified person	means a person who, having regard to the nature and complexity of the ERA code requirements, has the qualifications, training, skills or experience necessary to competently assess the activity and provide advice or analysis using recognised protocols, standards, methods or technical literature.
contingencies	include: a) common connections for emergency by-pass pumping b) common connections for mobile generators, or a back-up power source that automatically starts in the event of power failure c) stand-by pumping equipment and associated controls d) identification of critical components and a system to ensure adequate and timely access to spare parts e) access for maintenance and emergency activities f) testing and validation of any relevant equipment used or related to the contingency plan as necessary.
complaints	means an expression of dissatisfaction, concern or report, whether written or verbal, about the activity and/or its impact on the environment.
essential operational components	includes switch gear and control gear assemblies such as electrical supply meters, incoming power supply, station control units, motor starter units and telemetering units.
land	land excluding waters and the atmosphere. Land includes land on the authorised place.
measures	has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competencies.
records	includes breach notifications, details of complaints received, written procedures, monitoring data, analysis results, any monitoring reports and monitoring programs required under a condition of this ERA code
waters	means all or any part of a creek, river, stream (including ephemeral streams), lake, lagoon, swamp, wetland, spring, unconfined surface water, unconfined water in natural or artificial watercourses, the riparian area adjoining a watercourse, bed and bank of any waters, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and underground water.

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Version history

Version	Date	Description
1.00	XX XXX	First published version.

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