



TASMANIAN FISHING INDUSTRY COUNCIL

ABN 61 009 555 604

24 April 2008

Environmental Policy Section
Environment Division
Department of Environment, Parks, Heritage and the Arts
GPO Box 1751
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TASMANIAN FISHING INDUSTRY COUNCIL (TFIC):

COMMENT ON THE *REVISED DRAFT ENVIRONMENTAL GUIDELINES FOR BOAT REPAIR AND MAINTENANCE FACILITIES AND IN-WATER VESSEL MAINTENANCE* (MARCH 2008)

TFIC as the peak industry body representing the interests of Tasmania's commercial fishers and marine farmers welcomes the opportunity to provide the following comments on the *Revised Draft Environmental Best Practice Guidelines for Boat repair and Maintenance Facilities and In-Water Vessel Maintenance (March 2008)*.

GENERAL COMMENTS TO THE GUIDELINES

It is recognised that the Guidelines constitute a step towards the development and implementation of a regulatory framework for managing environmental risks associated with boat repair and maintenance facilities. Within this context TFIC would like to make the following general comments:

1. Endorsement of Purpose of Guidelines

Firstly, TFIC endorses the purpose of the Guidelines; that being "to assist Tasmania's boat repair and maintenance industry to manage environmental risks associated with its activities". The reduction and mitigation of contamination of Tasmania's marine environment is strongly supported by the seafood industry and, indeed, is identified as one of TFIC's strategic goals. TFIC supports the management and regulation of marine industry activities described in the Guidelines *commensurate* with the level of risk they pose to those marine environment. However TFIC seeks further clarification and a firm commitment from the Department as to what forms industry assistance will be offered. This point is taken up below and in the subsequent recommendations section (Section 10).

2. Impact on Industry - Required Infrastructure Upgrades

Secondly, the costs to facility operators/owners associated with upgrading facilities to meet the standards of the recommended site management system are considerable, in both capital expenditure and human resource terms.



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The recommended site management system requires the following components be developed and implemented:

- An Environmental Management Plan
- A Waste Water Treatment Plant System
- A Controlled Waste Storage and Disposal System

Each of these components alone is costly in time and funds to develop, purchase, install and maintain. Considerable capital expenditure would be required, which in the case of small facility operators slipping 10-20 vessels per year would render their viability questionable. For example, a small commercial slipway operator undertaking upgrades to install a waste water treatment plant system is expecting to pay more than \$40,000.

These impacts are likely to lead to some rationalisation of the number of facilities operating commercially. This could potentially lead to closures of facilities in strategic regional locations, which is likely to trigger concerns of the MAST (Marine and Safety Tasmania) who have an informal policy position that facilities need to be operable in certain key strategic locations around the State to service vessels in case of emergencies. It can also be expected that the additional cost-impost to facility operators would be transferred to commercial fishers who are required by MAST regulations to slip their fishing vessels for survey every two years. Again, sectors of the commercial fishing industry operate within low-profit fisheries, and these fishers would experience a significant economic impact due to raised slipping fees.

3. Impact on Industry - Controlled Waste Storage, Disposal and opportunities for Resource-Recovery

Facility operators are constrained by the limited controlled waste management options currently available which are economical or cost-effective, given that a high proportion of waste materials generated are controlled wastes. While the Guidelines list five waste management options, only options 2 and 5 are currently applicable to controlled wastes. Option 2 describes the current and most likely practice of the majority of commercial slipway operators, that being that facility operators store their controlled wastes in a prescribed manner until a critical volume is built up to reduce the cost of contracting a registered controlled waste transporter (option 5). This assumes that operators have large areas for secured storage available to them. Furthermore, no opportunities currently exist for recovery of resources (namely copper compounds) from the antifoulant waste products (option 4). Historically, Trade Waste Agreements have not been widely available to those facility operators slipping commercial fishing vessels.

SPECIFIC COMMENTS TO THE GUIDELINES

With regard to specific points contained within the Guidelines, TFIC would like to raise the following issues:

4. Marine Rails (Section 1.2)

At remote locations on the West Coast a small number of commercial fishers use marine rails to store their boats and to undertake basic maintenance activities (oil changes, hosing off marine biota, application of anti-foulants but no paint removal activities). These fishers would be affected by the recommendations in the Guidelines that "activities that may result in the release



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of contaminants should not be carried out on these structures". This matter requires clarification. Rather than see a blanket ban on maintenance-type activities – given the limited options for accessing commercial slipway facilities on the mid to north-west coast - TFIC proposes that only when an activity poses a *significant* risk of contamination, which cannot be managed, then are there grounds for that activity to be limited. One possible avenue to see a better outcome for operators of these rails would include developing a Code of Practice so maintenance work can continue but contamination risks are significantly minimised.

5. Classification of Marine Biota as a controlled waste (Section 3.11)

For facilities that do not slip boats which have been in international waters, and particularly for marine rail facilities where only one boat is slipped each year, the classification of marina biota as a controlled waste is a significant impost in terms of increasing the volume of controlled waste to be stored and managed. The Guidelines do not provide a demonstration of the risk of contamination associated with removed marine biota.

6. Lack of differentiation of type and level of activities using a risk-based assessment approach in recommended wastewater collection, treatment and disposal (Section 3.13)

While it is acknowledged within the Guidelines that a minimum level of wastewater treatment is required, and that further treatment processes "may" need to be included, this lack of clear delineation as to which type of facilities will or wont require further treatment processes is problematic. Obviously, the industry includes a varying range of facility capacities and levels and types of activities which are undertaken. Further clarification is required as to which types of activities, and at what frequency, warrant the minimum level of wastewater treatment as opposed to those which warrant further treatment processes. This same point could apply to other types of proscribed infrastructure requirements, such as concrete hardstands.

RECOMMENDATIONS

In conclusion, TFIC makes the following recommendations with regard to the anticipated development and implementation of a regulatory framework for managing environmental risks associated with boat repair and maintenance facilities:

7. A Strategic Assessment of commercial boat repair and maintenance facilities in Tasmania

The purposes of this assessment would be to identify which facilities are required to remain operational for safety reasons and where the rationalisation of facilities would not pose a safety risk in marine transport terms. Such an assessment is vital in the context of likely industry restructuring and rationalisation.

8. A tiered set of 'Industry Minimum Standards' based on a classification of facilities by type and level of activities using a risk-based assessment approach

Under this system a facility which slips a maximum of 10 vessel a year would, for example, be classified as 'Small' and as such would be required to install a waste water treatment system containing a sand filter and an oil/water separator, but would NOT be required to include lime stabilisation or flocculation stages.



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9. Capacity for a Case-by-case determination of level of required upgrade (commensurate with risk)

The anticipated regulatory framework should include provisions enabling the Manager of the Environment Division to make determinations on a case-by-case basis of the minimum standards for a facility requiring special considerations. Such facilities would include those in remote locations which offer vessel repair services in emergency cases and are considered strategically important by MAST for such safety reasons and which might be likely to cease operations due to their doubtful viability in the face of the costs of required upgrades to meet the generic minimum standards. A second example would be marine rail facilities. A minimum standard specific to that facility and commensurate with the level of environmental risk could be negotiated.

10. Staged approach to implementation and compliance

TFIC seeks a clear commitment from the Department that a staged approach will be incorporated into any regulatory framework which is developed. Specifically, TFIC recommends that a staged approach would allow facility operators a 2-5 year period within which to undertake upgrades and install treatment systems in order to comply with a 'first stage' (for example, impervious hardstand surfaces) of minimum standards. Further, higher levels of minimum standards (for example, wastewater treatment systems) could be introduced after this period with operators required to demonstrate a commitment towards completing the required works in a proscribed amount of time.

11. State Government assistance with upgrade and compliance costs

TFIC has been advised that a Regulatory Impact Statement would be conducted to assess the impact on the sector and on affected industries including the seafood industry. However, it is clear that many small facility operators will be stretched beyond the capacity of their business and profit margins to meet the costs of the required upgrades which will eventually be required. While a number of commercial operators have already received funding assistance to undertake upgrades, no such assistance has been indicated for the remaining operators. There is genuine need for the State Government to establish a subsidy or rebate scheme/assistance package to reduce the considerable costs to operators, which would then reduce the need to pass these costs on to vessel owners through increased slippage fees.

Industry assistance requested by TFIC include:

- A 'Regulatory Impact Statement' be undertaken prior to the implementation of a regulatory framework
- A formalised Industry Assistance/Subsidy Package be made available

Specific forms of industry assistance should include the appointment of and funding for a 3 year period of an Industry Assistance Project Officer to undertake the forms of assistance described below:

- Development of an Industry template for an 'Environmental Management Plan' (Section 3.1)



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- Information and Education Material be developed to assist operators in informing contractors of Environmental Best Practices (Section 2.2 – Point 1. & Section 3.4)
- Classification of facilities by activity type and frequency
- Environmental monitoring of treated wastewater and of surrounding marine environment
- Tendering for upgrade and maintenance contracts
- Research and assessment of cost-effective upgrade options

12. State Government assistance with Controlled Waste transporting & disposal costs, and with resource recovery initiatives

The cost involved in storing and then transporting and disposing of the controlled wastes generated by boat repair and maintenance activities is likely to be prohibitive to small operators. Given the regulatory drivers behind this requirement, again there must be some form of State Government initiative to reduce the costs of controlled waste transport and disposal. Options include: funding of R&D to further resource recovery options (whereby the waste would be purchased from the slipway operator by a resource recovery operator); funding of R&D into technologies to stabilise copper compounds in antifoulant wastes in order to expand the waste disposal options; industry assistance packages as mentioned previously; developing more controlled waste transfer stations where wastes can accumulate until the volume warrants paying for its removal.

Yours sincerely,

A handwritten signature in blue ink that reads "Neil Stump". The signature is written in a cursive, flowing style.

Neil Stump
CHIEF EXECUTIVE