



Climate Change (Unique Emissions Factors) Amendment Regulations 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 21st day of August 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 164 of the Climate Change Response Act 2002—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Climate Change Issues made in accordance with sections 3A and 166 of that Act.

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Regulations

1 Title

These regulations are the Climate Change (Unique Emissions Factors) Amendment Regulations 2017.

2 Commencement

These regulations come into force on 1 January 2018.

3 Principal regulations

These regulations amend the Climate Change (Unique Emissions Factors) Regulations 2009 (the **principal regulations**).

4 Regulation 16 amended (Requirements for applications for unique emissions factor approval for geothermal fluid use calculated by reference to steam production)

Replace regulation 16(3)(a) with:

- (a) measurement of the steam quantity produced must be undertaken with a venturi flow meter, vortex flow meter, or orifice plate (or other equipment with at least the same accuracy as one of those pieces of equipment):

5 Regulation 23C amended (Requirements relating to application for unique emissions factor approval in relation to LFG collection and destruction system)

- (1) In regulation 23C(1)(e), after “disposal facility”, insert “(and any other area from which LFG is conveyed to the destruction equipment)”.

- (2) Replace regulation 23C(2)(a) with:

- (a) modelling must—
 - (i) start from the date the facility started accepting waste for disposal; and
 - (ii) include, in addition to the facility, any other area that generates LFG that is conveyed to the destruction equipment; and

- (3) In regulation 23C(2)(b)(i)(A), (ii)(B), and (d), after “facility”, insert “or other area”.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 January 2018, amend the Climate Change (Unique Emissions Factors) Regulations 2009 to—

- allow applicants for unique emissions factors for geothermal liquid use to take measurements using venturi flow meters, vortex flow meters, or orifice plates (or other equipment with at least the same accuracy as one of those pieces of equipment); and
- require applicants for unique emissions factors relating to landfill gas to model emissions from all areas that contribute landfill gas to a disposal facility's destruction equipment irrespective of whether the area is part of that disposal facility.

Regulatory impact statement

The Ministry for the Environment produced a regulatory impact statement on 15 June 2017 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.mfe.govt.nz/sites/default/files/media/Legislation/RIS/RIS-nzets-regulations-updates-2017.pdf>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 24 August 2017.

These regulations are administered by the Ministry for the Environment.