Climate Change (Unique Emissions Factors) Amendment Regulations 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 9th day of September 2013

Present:
The Right Hon John Key presiding in Council

Pursuant to sections 163 and 164 of the Climate Change Response Act 2002, His Excellency the Governor-General makes the following regulations, acting—

(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 after complying with the requirements in sections 163(5) and 166(1) of that Act.

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Regulations

1 Title

These regulations are the Climate Change (Unique Emissions Factors) Amendment Regulations 2013.

2 Commencement

(1) Regulations 4 and 11 come into force on 12 December 2013.

(2) The rest of these regulations come into force on 1 January 2014.

3 Principal regulations

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

4 Regulation 3 amended (Interpretation)

(1) In regulation 3(1), definition of **fuel**, delete "obligation jet fuel,".

(2) In regulation 3(1), revoke the definition of **obligation jet fuel**.

5 Regulation 12 amended (Requirements relating to application for unique emissions factor approval for fugitive coal seam gas)

In regulation 12(1)(f),—

(a) in the formula, replace "21" with "25"; and

(b) in item EF_P of the formula, replace "0.0336" with "0.0400".

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

(1) In regulation 16(1)(d), in the formula, replace "21" with "25".

(2) In regulation 16(2)(c), in the formula, replace "21" with "25".

7 Regulation 17 amended (Requirements for applications for unique emissions factor approval for geothermal fluid use calculated by reference to non-condensable gas concentrations)

(1) In regulation 17(1)(c), in the formula, replace "21" with "25".

(2) In regulation 17(2)(c), in the formula, replace "21" with "25".

8 Regulation 23 amended (Calculation of unique emissions factor in accordance with periodic source testing option)

In regulation 23(1)(c), in the formula,—

(a) replace "21" with "25"; and

(b) replace "310" with "298".

9 Regulation 23B amended (Requirements relating to application for unique emissions factor relating to waste composition)

In regulation 23B(c), replace the formula with:

$$UEF = (1.50 \times GW) + (1.80 \times NSW) + (1.125 \times OPW) + (3.00 \times PW) + (0.375 \times SSW) + (3.225 \times TMW) + (1.80 \times TXW)$$

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

In regulation 23C(1)(g), in the formula, replace "1.10" with "1.31".

11 Regulation 27 amended (Activities in respect of which recognition can be given)

In regulation 27(a), replace "obligation jet fuel" with "obligation fuel".

12 Schedule 1 amended

(1) In Schedule 1, replace table 1 with the table 1 set out in the Schedule of these regulations.

(2) In Schedule 1, replace table 2 with the table 2 set out in the Schedule of these regulations.

(3) In Schedule 1, replace table 4 with the table 4 set out in the Schedule of these regulations.

Schedule

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Amendments to Schedule 1

Table 1
Emissions factors for CH_4 and N_2O for obligation fuel participants

Types of obligation fuel	Emissions factor for CH_4 in tCO_2e/kl	Emissions factor for N_2O in tCO_2e/kl
Regular petrol, as defined in regulation 4(1)(a) of the Climate Change (Liquid Fossil Fuels) Regulations 2008	0.017	0.014

Table 1—*continued*

Types of obligation fuel	Emissions factor for CH_4 in tCO_2e/kl	Emissions factor for N_2O in tCO_2e/kl
Premium petrol, as defined in regulation 4(1)(b) of the Climate Change (Liquid Fossil Fuels) Regulations 2008	0.017	0.015
Automotive diesel and marine diesel, as defined in regulation 4(1)(c) and (d) of the Climate Change (Liquid Fossil Fuels) Regulations 2008	0.004	0.042
Aviation spirit, as defined in regulation 4(1)(e) of the Climate Change (Liquid Fossil Fuels) Regulations 2008	0.001	0.019
Jet fuel, as defined in regulation 4(1)(f) of the Climate Change (Liquid Fossil Fuels) Regulations 2008	0.001	0.021
Light fuel oil, as defined in regulation 4(1)(g) of the Climate Change (Liquid Fossil Fuels) Regulations 2008	0.006	0.023
Heavy fuel oil, as defined in regulation 4(1)(h) of the Climate Change (Liquid Fossil Fuels) Regulations 2008	0.007	0.023

Table 2
Unique emissions factor thresholds for coal

Class	Emissions factor tCO_2e/TJ
Lignite—all other coalfields, or peat	93.83
Lignite—Waimumu or Roxburgh coalfields	91.02
Sub-bituminous	90.25
Bituminous, including anthracite	86.99

Table 4
Emissions factors for methane and nitrous oxide

Fuel type	Methane (CO_2e)	Nitrous oxide (CO_2e)	Aggregate (M+N)	Unit
Coal	0.01663	0.4011	0.4177	tCO_2e/TJ
Natural gas	0.0316	0.0268	0.0584	tCO_2e/TJ
Waste	0.789	1.255	2.044	tCO_2e/TJ

Martin Bell,
for 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 amend the Climate Change (Unique Emissions Factors) Regulations 2009. *Regulations 4 and 11* come into force on 12 December 2013, while the rest of the regulations come into force on 1 January 2014. The effect of the amendments is to update emissions factors based on new global warming potentials of—

- 25 for methane (CH_4):
- 298 for nitrous oxide (N_2O):
- 7 490 for tetrafluoromethane (CF_4):
- 12 200 for hexafluoroethane (C_2F_6).

These regulations also revoke the definition of obligation jet fuel.

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These regulations are administered by the Ministry for the Environment.

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