



Protection of the Environment Operations (General) Amendment (Pollutant Weightings) Regulation 2004

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

BOB DEBUS, M.P.,

Minister for the Environment

Explanatory note

The object of this Regulation is to increase the pollutant weightings for air pollutants that are applied in determining the load-based fee payable in respect of environment protection licences issued under the *Protection of the Environment Operations Act 1997*. (The load-based fee is a component of the annual fee payable in respect of such licences.)

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 57 and 323 (the general regulation-making power).

2004 No 370

Clause 1 Protection of the Environment Operations (General) Amendment (Pollutant Weightings) Regulation 2004

Protection of the Environment Operations (General) Amendment (Pollutant Weightings) Regulation 2004

under the

Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (General) Amendment (Pollutant Weightings) Regulation 2004*.

2 Commencement

This Regulation commences on 30 June 2004.

3 Amendment of Protection of the Environment Operations (General) Regulation 1998

The *Protection of the Environment Operations (General) Regulation 1998* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 20 Pollutant weightings

Omit the matter under the heading “**Air pollutants**” (above the heading “**Water pollutants**”) in the Table to clause 20 (1).

Insert instead:

Pollutant	Definition	Pollutant weighting
Arsenic	Total arsenic calculated using the method prescribed in the Approved Methods Publication	52,000
Benzene	Benzene	740
Benzo[a]pyrene (equivalent)	Benzo[a]pyrene plus 0.1 times the mass of benzo[a]anthracene, benzo[b]fluoranthene, benzo[k]fluoranthene and ideno[1,2,3-c,d]pyrene plus 0.4 times the mass of dibenz[a,h]anthracene	29,000
Coarse particulates	All solid particulates entrained in air but not including fine particulates as defined in this Table	18
Fine particulates	The fraction of all solid particulates entrained in air with an aerodynamic diameter smaller than 10 micrometres	125

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Schedule 1 Amendments

Pollutant	Definition	Pollutant weighting
Fluoride	Fluorine, hydrogen fluoride and all other inorganic fluoride compounds expressed as hydrogen fluoride equivalent	84
Hydrogen sulfide	Hydrogen sulfide	320
Lead	Total lead calculated using the method prescribed in the Approved Methods Publication	11,000
Mercury	Total mercury calculated using the method prescribed in the Approved Methods Publication	110,000
Nitrogen oxides	The sum of nitrogen oxide and nitrogen dioxide expressed as nitrogen dioxide equivalent	9
Sulfur oxides	Sulfur dioxide and (where specified in the load calculation protocol for the activity or in the licence for the premises) sulfur trioxide and sulfuric acid mist	2.2
VOCs	Volatile compounds of hydrogen and carbon that may or may not contain other elements but not including methane or benzene	6.6

[2] Clause 20 (3)

Insert after clause 20 (2):

- (3) The amendment to the Table to subclause (1) made by the *Protection of the Environment Operations (General) Amendment (Pollutant Weightings) Regulation 2004* applies in relation to licence fee periods ending on or after 30 June 2004.