



Variation to the National Environment Protection (National Pollutant Inventory) Measure

Explanatory Statement

June 2008

Preamble

The National Environment Protection (National Pollutant Inventory) Measure (NPI NEPM) has been in place for ten years and the Australian community is increasingly aware of its ability to provide information on emissions of substances to air, land and water.

The National Environment Protection Council (NEPC) varied the NPI NEPM in 2007 to make a number of changes to enhance the NEPM as a major tool for environmental management and cleaner production. One such change was the inclusion of greenhouse gas emissions reporting as an interim measure, pending the establishment of a new national purpose-built greenhouse gas reporting mechanism.

NEPC has initiated a minor variation process for the NPI NEPM to remove the greenhouse gas and energy reporting provisions in the NEPM, in order to minimise any confusion faced by industries in reporting to the NPI following the introduction of the Commonwealth *National Greenhouse and Energy Reporting Act 2007* (NGER Act).

Reasons for the proposed variation

At the time of making the NPI variation in June 2007, NEPC recognised the likely implementation of a new national requirement specifically for greenhouse gas and energy reporting by including provisions for withdrawal of greenhouse gas reporting from the NPI NEPM (Clause 34).

The NGER Act, which was enacted in September 2007, provides for the development of a comprehensive national scheme to collect, report and disseminate information related to greenhouse gas emissions and energy consumption and production. By virtue of Section 76 of the NGER Act, the provisions of the NPI NEPM relating to greenhouse gas reporting cease to be effective.

The proposed variation will remove redundant clauses from the NPI NEPM and reduce the potential for confusion faced by stakeholders in understanding the reporting requirements of the NPI.

Nature and effect of proposed variation

When NEPC made the decision to vary the NPI NEPM in June 2007, the greenhouse gas and energy reporting clauses were integrated in the NEPM in a manner which allows for their easy identification. Consequently their removal will be straightforward.

The greenhouse gas reporting requirements were included in the NPI NEPM with a commencement date of 1 July 2008. Since the NGER Act commenced prior to this date, no

changes to the NPI program were made. Therefore, removal of greenhouse gas reporting provisions will have no practical impact on the NPI program.

The types of clauses removed from the NPI NEPM are those relating specifically to greenhouse gas emission and energy reporting. Clauses relating to fuel burning are not being considered for removal because they were not identified by NEPC as greenhouse gas specific clauses and are integral to NPI substance emissions reporting and verification. Facility fuel burning and power consumption figures are used in the NPI program as thresholds to determine whether reporting of certain substances is required. The amount of fuel burned is required for estimating and verifying the reporting of combustion emissions of carbon monoxide, oxides of nitrogen, particulate matter, sulfur dioxide, volatile organic compounds, polycyclic aromatic compounds, metals and other substances.

In summary, the minor variation is an administrative action, the effect of which will be to provide NPI stakeholders with an unambiguous version of the NEPM.

Reasons why the variation is a minor variation

A NEPM variation is a 'minor variation' under the *National Environment Protection Council Act 1994*, provided it is supported by an unanimous resolution of NEPC and the resolution states that the variation does not involve a significant change in the effect of the NEPM.

As outlined above, the following factors were considered by NEPC in determining that the variation is a minor variation:

- greenhouse gas reporting provisions in the NPI were included as an interim measure only
- the NGER Act made the greenhouse gas reporting provisions in the NPI redundant
- no changes have as yet been made to support greenhouse gas reporting requirements
- the variation is an administrative action that is only removing clauses that will not be implemented.

Submissions on the variation are due by close of business on **Friday 18 July 2008**. Late submissions will not be accepted. Please forward your submission to:

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