



Ministry for the
Environment
Manatū Mō Te Taiao

PROPOSED AMENDMENTS TO THE National Environmental Standards >> for Air Quality

REPORT ON SUBMISSIONS





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1 Introduction

A review of the Resource Management (National Environmental Standards Relating to Certain Air Pollutants, Dioxins and other Toxics) Regulations 2004 (the air quality standards) was announced by Environment Minister Hon Dr Nick Smith on 10 June 2009.

The air quality standards, which were gazetted in 2004, set threshold concentrations for certain air pollutants. They provide nationally consistent, bottom-line standards that should not be breached.

This report provides information on the review of the National Environmental Standards for Air Quality. It includes information on:

- the Technical Advisory Group for Air Quality
- proposed amendments to the standards
- summary of submissions
- list of submitters.

2 Technical Advisory Group for Air Quality

An independent Technical Advisory Group (TAG) for Air Quality was commissioned by the Government in 2009 to review the standard for particulate matter less than 10 microns in diameter (PM₁₀). The TAG, which had specific Terms of Reference, considered whether:

- the number of permitted exceedances (one per year) of the ambient PM₁₀ standard is appropriate for New Zealand
- disallowing industry consents (as required by the air quality standards after 2013 if the standards are not met) is equitable when industry contributes a small proportion of pollutants
- the 2013 timetable is achievable and whether it has a suitable cost/benefit balance.

The TAG presented an independent report containing its recommendations to the Minister for the Environment in November 2009. Based on these recommendations, the Government agreed to public consultation on several options, including two preferred options.

3 Proposed Amendments to the National Environmental Standards for Air Quality

The Ministry for the Environment published a discussion document on the proposed amendments in June 2010. Five workshops were held in main centres and general submissions were invited by the Ministry. Submissions closed on 9 July 2010.

This information summarises submissions on the proposed amendments. It outlines the options presented in the discussion document and presents a summary of the submissions received. It is not intended to provide an analysis of the views presented in submissions or to present recommendations in response to the submissions.

Options for changes to the National Environmental Standards for Air Quality

The discussion document contained the recommendations of the TAG together with three other option packages, including the Minister's preferred options.

- Option 1 was the TAG's recommendations.
- Option 2 put the greatest weight on obtaining health benefits.
- Option 3 aimed to give equal weight to obtaining health benefits and ensuring equity.
- Option 4a was very similar to the TAG's recommendations, with the difference lying in the industries to be affected and the timeline for mandatory offsets to take effect.
- Option 4b differed from 4a only in that all industry consent restrictions were removed.

Options 4a and 4b were the two preferred options because they:

- allowed councils more time to reduce PM₁₀ levels in their regions but retained enough pressure for councils to achieve compliance
- promoted a 'local solutions to local problems' approach but with increased ministerial oversight.

Table 1 provides a comparison of each option with the status quo, the existing air quality standards.

Table 1: Comparison of options for possible changes to the NES for air quality with the status quo

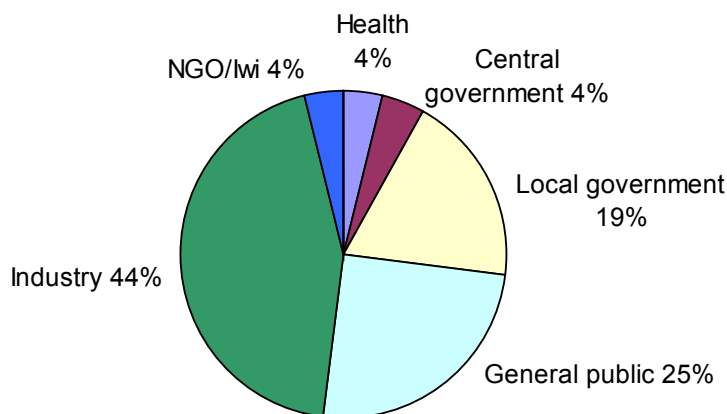
Number	Description of possible changes to NES for air quality	Status Quo	Option 1	Option 2	Option 3	Option 4a	Option 4b
1	Increase the number of permitted exceedances from 1 to 3		1			1	1
2	Exclude exceptional events from being counted as exceedances		2		2	2	2
3	Removal all industry consent restrictions		3				3
4	Extend timeline to 2020 (maximum)		4			4 (2018)	4 (2018)
5	Place a greater focus on education		5	5	5		
6	Require mandatory reporting (PM ₁₀ monitoring data)		6	6	6	6	6
7	Require councils to submit airshed implementation plans		7				
8	Increased ministerial oversight		8				
9	Investigate funding links (link funding to areas without a plan in place)		9				
10	Retain one permitted exceedance	10		10	10		
11	Retain industry restrictions	11		11			
12	Retain the 2013 timeline			12	12		
13	Use existing ministerial powers under the RMA (s27)			13	13	13	13
14	Establish an air quality compliance strategy			14	14	14	14
15	Investigate funding links (link funding to breaching airsheds)			15	15		
16	National guidance on domestic emission restrictions			16	16		
17	Introduce mandatory offsets for all discharge consents in breaching airsheds after 2013				17		
18	Introduce mandatory offsets for new industry consents in breaching airsheds after 2018					18	

Summary of submissions

Submissions received

One hundred and fourteen submissions were received. The largest number of submissions came from industry (50), followed by the general public (28) and local government (21), as shown in Figure 1. For a list of submitters see table 2.

Figure 1: Breakdown of submissions



**Total 114
submissions**

Themes in submissions

A number of themes emerged from the submissions. There was clear support for improvements in several areas:

- improving equity, as the existing rules focus attention primarily on industry
- a greater focus on education, especially on the health impacts of PM₁₀ emissions
- development of a national compliance strategy, led by central government.

Sectors differed in what they expressed opposition to:

- local government and industry expressed strong opposition to the current standards – particularly the blanket prohibition on industry consents imposed after 1 September 2013
- industry expressed strong opposition to mandatory offsets¹
- other stakeholders expressed strong opposition to decreasing health protection, by extending the current target compliance date from 2013.

Figure 2 shows the preferred options expressed by submitters. There was no overall clear preference for any of the options outlined in the discussion document, although industry expressed a clear preference for Option 4b (in which all consent restrictions are removed). The largest number of submitters put forward proposals of their own ('Other' in Figure 2).

¹ There did not, however, appear to be a common understanding that the proposal only related to **new** industry with significant discharges of PM₁₀ and only those located in polluted airsheds. This may be due to provisions of the RMA which require that existing industry be considered as 'new' when applying to renew a resource consent. However, the PM₁₀ regulations currently contain different provisions for existing (regulation 17C) and new (regulations 17A and 17B) industry.

Figure 2: Submitters' preferred options

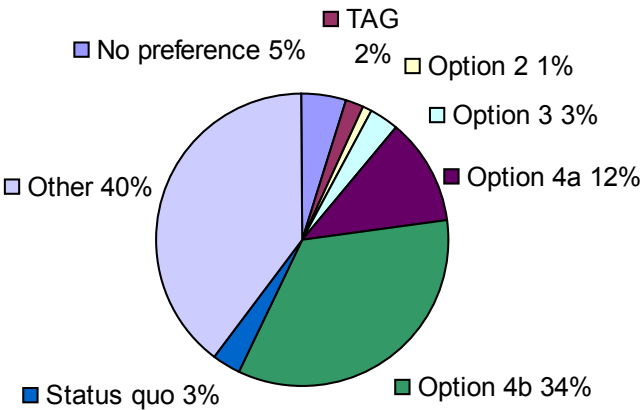
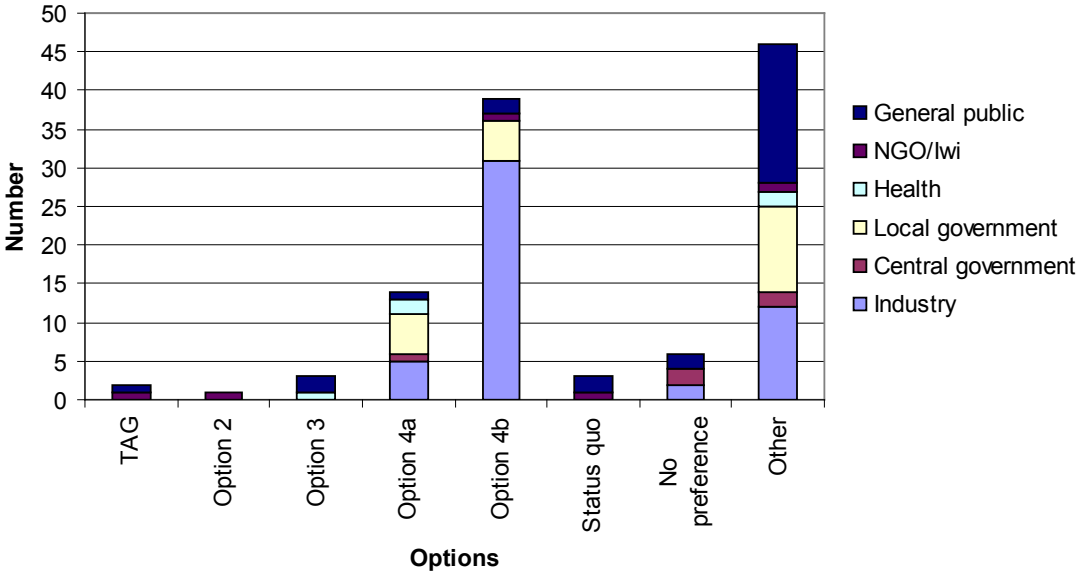


Figure 3 shows how the preferred options are broken down by category of submitter.

Figure 3: Breakdown of preferred options



4 List of submitters

Table 2: List of submitters

Number	Organisation
1	Nelson Marlborough District Health Board
2	I Tschamtkke
3	S Robinson
4	Public Health South
5	Bioenergy Association of New Zealand Inc
6	Orion New Zealand Ltd
7	Ministry of Health
8	Rheumatology Associates
9	Environment Bay of Plenty
10	New Zealand Sugar Company Ltd
11	Hawke's Bay Regional Council
12	Otago Regional Council
13	East Coast Suspended Ceilings
14	C Koed
15	Ecostove Ltd
16	Port Nelson Ltd
17	P Wright
18	New Zealand Timer Industry Federation Inc
19	JA Genter
20	Fireworx
21	M Thredgold
22	Marlborough District Council
23	A Webber
24	D Haist
25	Northland Regional Council
26	Waimakariri District Council
27	NZ Manufacturers and Exporters Association
28	Auckland Regional Council
29	Peter Davy Heating Shop Ltd
30	C Hewens
31	Fonterra Cooperative Group Ltd
32	Greater Wellington Regional Council
33	St George's Hospital
34	Hubbards Foods Ltd
35	Foodstuffs SI Ltd
36	Environment Waikato
37	Auckland Regional Public Health Service

38	New Zealand Home Heating Association
39	Environment Southland
40	NCI Packaging NZ Ltd
41	Patuharakeke Te Iwi Trust Board
42	J Cone
43	Firth Industries Ltd
44	Downer EDi Works
45	Qualityarns New Zealand Ltd
46	Winstone Aggregates
47	CSP Coating Systems
48	K O'Reilly
49	Broadys New Zealand Ltd
50	R. Tweedie-Cullen
51	JM George
52	K Robinson
53	Association for Independent Research Inc
54	Genesis Energy
55	New Zealand Aluminium Smelters Ltd
56	Dr D Robinson
57	PACHAPG.ca
58	Watercare Services Ltd
59	Air Matters Ltd – C McSweeney
60	Air Matters Ltd – R Murray
61	Goodman Fielder New Zealand Ltd
62	Australian Air Quality Group
63	Transpacific Industries Group (NZ) Ltd
64	Sims Pacific Metals Ltd
65	Golden Bay Cement
66	Rotorua District Council
67	SLR Heggies Consulting
68	J Bell
69	Sanitarium Health & Wellbeing Company
70	Canadian Clean Air Alliance
71	Institution of Professional Engineers New Zealand
72	Purewa Cemetery Trust Board
73	Energy Efficiency and Conservation Authority
74	Environment Canterbury
75	Sir David Hay
76	Firenze Wood Fires
77	Carter Holt Harvey
78	A McMillan
79	Solid Energy NZ Ltd

80	Christchurch City Council
81	Holcim (NZ) Ltd
82	Hastings District Council
83	Southern Cross Forest Products Ltd
84	J Pene
85	P Harwood
86	J Cavanagh
87	Pan Pac Forest Products Ltd
88	Fulton Hogan
89	Hamilton City Council
90	Local Government New Zealand
91	Regional Public Health
92	West Coast Regional Council
93	Te Runanga O Ngati Hine
94	Poultry Association of New Zealand Inc
95	Federated Farmers of New Zealand
96	Timaru District Council
97	Canterbury District Health Board
98	NIWA Auckland
99	NZ Steel
100	Wood Processors Association of NZ
101	Business NZ
102	Parliamentary Commissioner for the Environment
103	Contact Energy Ltd
104	Domestic Energy Users' Network
105	Aggregate & Quarry Association of New Zealand Inc
106	Higgins Group Holdings Ltd
107	Clutha District Council
108	Tasman District Council
109	Green Party of New Zealand
110	Canterbury Employers' Chamber of Commerce
111	Christchurch International Airport Ltd
112	Lyttelton Port of Christchurch
113	J Ballantyne & Co Ltd
114	Nelson City Council