



Proposed Prohibited Standards

INTRODUCTION

The New Zealand approach to air quality has been to adopt an effects-based approach based on environmental impacts. Generally this approach is efficient in that it allows emitters to decide how they will minimise and mitigate impacts. In some instances however, it is more efficient and effective to simply prohibit activities where the emissions are clearly unacceptable.

These activities involve the discharge of significant quantities of potentially harmful contaminants into the air, such as dioxins, particles, poly aromatic hydrocarbons and volatile organics. They include: burning of tyres and oil in the open, landfill fires, road tar seal burning, high temperature hazardous waste incinerators, school and hospital incinerators, and the burning of coated wire to recover metals.

The contaminants from these activities are recognised as causing potentially serious adverse health and environmental effects. In addition, there is considerable public concern about some of the activities, such as high temperature incineration of hazardous waste, that make them socially unacceptable today.

Typically, there are alternative, more environmentally friendly processes that can be used to achieve the same purpose.

We propose to prohibit these activities through national environmental standards. National requirements will also improve consistency and certainty in decision-making, creating a level playing field for both communities and those wishing to carry out activities.

PROPOSALS

The proposed standards are to prohibit the following activities:

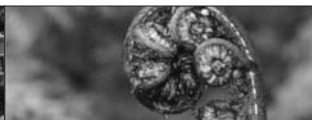
- burning of coated wire in the open (to recover metals)
- deliberate landfill fires
- burning of tyres in the open
- burning of road tar seal (bitumen burnoff)
- burning of waste oil in the open
- all new high temperature hazardous waste incinerators
- new low temperature waste incinerators in schools and hospitals that do not have a resource consent
- by 2008, existing low temperature waste incinerators in schools and hospitals that do not have a resource consent.

We do not propose to ban existing high temperature hazardous waste incinerators. We are open-minded about new large incinerators for urban waste disposal, including those designated for 'energy from waste'. However, we are considering banning those also, but will be guided by public submissions and comments.

IMPLEMENTATION

Regional councils and unitary authorities will be required to implement the proposed activity standards through existing council compliance and enforcement mechanisms.

Several regional air quality plans prepared in accordance with the Resource Management Act 1991 already prohibit many of the activities specified above. Other activities on the list, have been treated as either discretionary or non-complying. In a few cases, some of the activities have been permitted (such as road tar seal burning) subject to specific conditions.



Where the activities are already prohibited in a regional plan no further implementation measures will be required.

Where the activities have a less restrictive status, the national environmental standard will automatically 'replace' these rules and prohibit or restrict the activities accordingly. This is because the standard will have greater legislative weight and therefore take precedence over a rule in a regional plan. The plan will not need to be varied through the formal 'variation process'.

Once the proposed standards come into force, all existing low temperature waste incinerators in schools and hospitals will require a resource consent by 2008, irrespective of existing plan rules. Such incinerators without consents will be prohibited. We will work with the Ministries of Education and Health to encourage other forms of waste disposal in schools and hospitals.

Potential consent applicants will need to be informed that there is a national standard that prohibits or restricts the activity.

Subject to the Resource Management Act, local authority plans can vary from national environmental standards, but only if the local controls are stricter. If an activity is more strictly controlled in a regional plan rule than the national environmental standard, the regional plan rule will apply not the national environmental standard. The stricter requirement takes precedence.

WANT TO KNOW MORE?

Contact the **Ministry for the Environment** by phoning (04) 917 7400, emailing standards@mfe.govt.nz, or see our website: www.mfe.govt.nz