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MINISTRY FOR THE ENVIRONMENT

NEW ZEALAND EMISSIONS TRADING SCHEME: INDUSTRIAL ALLOCATION NOTICES CALLING FOR DATA

PURSUANT TO SECTION 161D OF THE
CLIMATE CHANGE RESPONSE ACT 2002

This Supplement to the *New Zealand Gazette* contains 7 notices calling for data on the following activities (one notice for each activity):

1. Iron and steel manufacturing from iron sand
2. Production of clay bricks and field tiles
3. Production of cucumbers
4. Production of fresh capsicums
5. Production of fresh tomatoes
6. Production of gelatine
7. Production of protein meal

The notices contained in this supplement require information to be provided on emissions and revenue for the activity specified in each notice. This information is required by the Minister for Climate Change Issues in order to determine the emissions-intensity of each activity and the allocative baseline or baselines of the products of each activity.

Call for the Provision of Data (Iron and Steel Manufacturing from Iron Sand) Notice 2010

Pursuant to section 161D of the Climate Change Response Act 2002, I, Hon Nick Smith, Minister for Climate Change Issues, give the following notice requiring information on iron and steel manufacturing from iron sand to determine the emissions-intensity of this activity and the allocative baseline or baselines of the products of the activity.

Notice

1. Title and commencement—(1) This notice may be cited as the Call for the Provision of Data (Iron and Steel Manufacturing from Iron Sand) Notice 2010.

(2) This notice takes effect from and including 30 April 2010.

2. Interpretation—(1) Unless the context otherwise requires:

Act means the Climate Change Response Act 2002.

Activity outputs are the outputs used for the calculation of the revenue of the activity and mean the outputs specified in clause 2(2)(a)–(d).

Bases of preparation means the form available at

www.climatechange.govt.nz/industrialallocation

Data collection rules means the methodologies for data collection specified in Schedule 1 of this notice.

Declaration means the statement of declaration located at

www.climatechange.govt.nz/industrialallocation

Excluded emissions means the emissions specified in Schedule 3 of this notice.

Financial years means the financial years beginning on 1 July and ending on 30 June for each of the periods 2006/2007, 2007/2008 and 2008/2009 during which the person carried out the activity.

Included emissions means the emissions specified in Schedule 2 of this notice from the sources listed in Emissions Rule 1 of Schedule 1.

Product (basis of allocation) means

- (a) tonnes of molten iron, as measured prior to the addition of any cold ferrous feed such as scrap steel or solid pig iron, where molten iron has a maximum carbon (C) mass content of 6% and a minimum total iron (Fe) content of 94%, which result from carrying out the activity as defined
- (b) tonnes of saleable cast carbon steel products (where carbon steel is defined as a material which contains by mass more iron (Fe) than any other single element and has a carbon (C) content less than 2%) which result from carrying out the activity as defined
- (c) tonnes of saleable vanadium bearing materials with a minimum vanadium concentration (expressed as V_2O_5) of 8%, which result from carrying out the activity as defined
- (d) tonnes of saleable flat products of hot-rolled carbon steel, which result from carrying out the activity as defined.

Specified Template means the table template located at

www.climatechange.govt.nz/industrialallocation

(2) **Activity** means the chemical and physical transformation of iron sand into pig iron products, cast carbon steel products and hot-rolled carbon steel products, where iron sand is the predominant feed material, and where carbon steel is defined as a material which contains by mass more iron (Fe) than any other single element and has a carbon (C) content less than 2%, involving the conduct of the following processes:

1. The chemical and physical transformation of iron sand into iron which proceeds via the reduction of oxides of iron using carbon as the predominant reducing agent AND
2. the conditioning/pre-treatment of molten iron to remove impurities, upstream of the steelmaking process AND

EITHER

3. subsequent solidification of molten iron into pig iron

OR

4. the chemical and physical transformation of molten iron and cold ferrous feed, such as pig iron and ferrous scrap into saleable cast carbon steel products and saleable hot-rolled carbon steel products, which commence hot-rolling at over 800°C.

Where the outputs of this activity are:

- (a) saleable pig iron products which are not subsequently used in the steel making process
- (b) saleable cast carbon steel products which are not subsequently hot rolled
- (c) saleable hot-rolled carbon steel products
- (d) saleable vanadium bearing materials

(3) **Saleable** has its ordinary meaning as understood by participants in the relevant market, subject to subclauses (a) to (d):

- (a) Saleable is an output produced to a level at which it would ordinarily be considered by participants in the relevant market:
 - (i) to be the output of the process; and
 - (ii) to have a commercial value as that output.
- (b) A sub-standard product which is discarded is taken not to be saleable or of saleable quality.
- (c) An output which is recycled back while carrying out the activity as defined to produce a new output is not saleable or of saleable quality.
- (d) Material which is scrapped or lost before it is packaged as a product that is saleable or of saleable quality:
 - (i) is not saleable or of saleable quality; and
 - (ii) is not to be included in an amount of product (basis of allocation).

(4) Expressions defined in the Act have the same meaning in this notice as they do in the Act unless the context otherwise requires.

3. Data required to be provided—(1) Any person carrying out the activity on the date of this notice must provide to the Ministry for the Environment data for the financial years for the activity in the form of the specified template, calculated in accordance with the data collection rules, together with the completed declaration and bases of preparation.

(2) In calculating the data for the activity, the person must include only the included emissions and must exclude the excluded emissions.

4. Deadline for provision of data—The data required by clause 3 of this notice must be provided to the Ministry for the Environment within 70 working days of the date of this notice.

Schedule 1

Revenue Rules

1. Revenue must be calculated as the quantity of activity outputs, for each of the financial years, multiplied by an appropriate market price, exclusive of GST, for each activity output for each of the financial years.
2. Quantity of activity output(s) is either the direct measure of activity output or is calculated from units sold and changes in inventory. The same methodology must be used for all years.

3. The market price must be a 'plant gate' price for the activity output. It is the fair value of the product, as defined under the New Zealand Accounting Standard NZ IAS 18, adjusted for transport costs to reflect the market into which it is sold. It must be calculated for each of the financial years either from the revenue received from all external activity output sales during each of the financial years, divided by the number of units of external activity output sales during each of these years; or by using an observable market price for each of the financial years that is appropriate to the duration of time when the output was produced in those years. An observable market price must be based on a relevant price listed on an international exchange, a price obtained from an industry analyst's report or a price derived from government or industry body statistics.
4. Market price must be converted from foreign currencies to New Zealand dollars at the historical rate appropriate to the period of activity output.
5. A weight may be applied to the market price, as calculated in accordance with revenue rules 3 and 4, in each of the financial years. Where a weighting is used, a weight of 0.7 will be applied in the financial year with the highest market price and a weight of 1.15 will be applied in the other two financial years.

Emissions Rules

1. Data must be supplied for each financial year from only the following emissions sources, expressed in tonnes of CO₂ equivalent:
 - (a) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil as part of the activity;
 - (b) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil to generate steam that is used as part of the activity;
 - (c) the direct use of geothermal fluid as part of the activity, including the direct use of geothermal fluid to generate steam that is used as part of the activity;
 - (d) any of the activities listed in Part 4 of Schedule 3 of the Act carried out as part of the activity; and
 - (e) the use of electricity used as part of the activity.
2. Emissions must be calculated using the applicable formulae and emission factors specified in these data collection rules and in the specified template. Direct measures cannot be used as a substitute.
3. Emissions from the direct use of natural gas/coal as a feedstock must be calculated as zero when either (1) the feedstock is used to produce an obligation fuel defined in the Climate Change (Liquid Fossil Fuels) Regulations 2008, or (2) the production of the output is eligible to earn emission units under the Climate Change (Other Removal Activities) Regulations 2009.
4. Emissions for which no obligation exists under the Act due to an exemption made by Order in Council under section 60 of the Act must be calculated as zero.
5. When electricity is generated from a bottoming cycle co-generation plant, no emissions are to be attributed to electricity generation.
6. The following specific formulae must be used in estimating direct emissions:

Coal

$$\text{Emissions} = (A_L \times CV_L \times EF_L) + (A_{SB} \times CV_{SB} \times EF_{SB}) + (A_B \times CV_B \times EF_B)$$

where:

A = tonnes of coal consumed for different varieties, including L = lignite, SB = sub-bituminous, B = bituminous

CV = calorific value of the coal class used

EF = relevant emission factor for the relevant coal class.

Natural gas

$$\text{Emissions} = A \times EF$$

where:

A = consumption of natural gas (in terajoules, or tonnes if LPG)

EF = emission factor for natural gas (use either one for the appropriate field(s), if known, or the national average if the gas field(s) is not known).

Geothermal fluid

$$\text{Emissions} = A \times EF$$

where:

A = consumption of geothermal fluid (in tonnes)

EF = emission factor for geothermal fluid.

Used or waste oil

$$\text{Emissions} = A \times CV \times EF$$

where:

A = consumption of used or waste oil (in tonnes)

CV = calorific value of the used or waste oil

EF = emission factor for the used or waste oil.

7. Emissions from industrial processes must be calculated using the formulae set out in Part 3 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
8. The emission factors used in calculating emissions must be those listed in Schedule 2 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
9. Indirect emissions from electricity use must be calculated using the following formula:
$$\text{Emissions} = A \times EAF$$

where:
A = consumption of electricity (in MWh)
EAF = electricity allocation factor.
10. For eligibility purposes, electricity emissions must be estimated using an electricity allocation factor of 1 tonne of CO₂-e per megawatt hour of consumption.
11. For allocative baseline purposes, electricity emissions must be estimated using an electricity allocation factor of 0.52 tonnes of CO₂-e per megawatt hour of consumption.
12. Best endeavours must be used in calculating emissions. Simplified and reasonable emission calculation methods of the person's own design can be used for specified small emissions sources that are either excluded or included emissions, and are, in aggregate, estimated to be no more than 5% of total emissions from the activity at the site, provided that a 5% change in total estimated emissions would not change the eligibility status of the activity, if the activity of the person was considered in isolation when making a decision about eligibility. All methods used must be disclosed in the bases of preparation.
13. All emissions associated with the activity must be counted, regardless of whether the output is of saleable quality.

Data Preparation Rules

1. The methods, assumptions and calculations used to produce the data must be disclosed in the bases of preparation along with the data in the specified template.

2. Where uncertainties arise when determining emission and revenue data, these uncertainties must be declared in the bases of preparation.

Schedule 2

Included emissions

Emissions that must be included in any information provided in response to this notice are emissions resulting from:

- (a) direct emissions from, and electricity use of, machinery, equipment and processes which are integral to, and essential for, the physical, chemical and/or biological transformation involved in the activity as described, including, for example:
 - machinery used to move materials within and as part of the activity
 - control rooms, laboratories, maintenance workshops
 - machinery used to create non-electrical energy for use in the activity as defined
 - the processing of by-products where they involve the recovery of materials for re-use within the activity or are necessary for the activity to proceed as defined
 - onsite processing of waste materials from the activity to comply with regulatory obligations;
- (b) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, to generate steam that is used as part of the activity as described;
- (c) waste heat recovery that is part of the activity as described;
- (d) the production of cryogenic gases e.g. oxygen, nitrogen and argon that are consumed in the activity;
- (e) casting of molten pig iron;
- (f) the treatment of molten pig iron;
- (g) the conduct of secondary metallurgical treatment;
- (h) casting of steel into intermediate steel products;
- (i) the processing of cold ferrous feed where that process is conducted on site;
- (j) the treatment of indigenous waste gases, e.g. multiple hearth furnace, kiln, melter, vanadium recovery unit and basic oxygen steelmaking gases;
- (k) steel scrap receipt (including quality checks and storage);
- (l) warehousing or storage of activity outputs, raw materials and consumables used by the activity where this is at the same location as the activity;
- (m) water and waste treatment (including gases) necessary for the activity to be conducted; and
- (n) the hot rolling of the cast carbon steel which is produced by the activity.

Schedule 3**Excluded emissions**

Emissions that may not be included in any information provided in response to this notice are emissions resulting from:

- (a) the use of machinery and equipment, and other processes that are not integral to, nor essential to, the physical, chemical and/or biological transformation taking place when the activity as defined is carried out;
- (b) any extraction or production of raw materials, including the mining and concentration of iron sand, that are subsequently used when the activity as defined is carried out;
- (c) the transportation of inputs used in the activity to storage at the location where the activity as defined is carried out;
- (d) the transportation of outputs of the activity from storage at the location where the activity as defined is carried out to another location;
- (e) the transportation of intermediate products between different locations where the activity as defined is carried out;
- (f) operations that are complementary to the activity as defined, including (but not limited to) packaging, head office operations, and administration and marketing (whether carried out at the same location where the activity is carried out or at a different location);
- (g) the generation of electricity at the location where the activity as defined is carried out;
- (h) any finishing processes, including, but not limited to, cold rolling, annealing, pickling or coating of steel products; and
- (i) the further processing of vanadium oxide slag.

Dated at Wellington this 30th day of April 2010.

HON NICK SMITH, Minister for Climate Change Issues.

Explanatory Note

This note is not part of the notice but is intended to indicate its general effect.

This notice, which comes into effect on 30 April 2010, requires any person carrying out iron and steel manufacturing from iron sand (as that activity is defined in the notice) to provide the information requested by the Minister in accordance with the data collection rules specified in the notice including only the emissions set out in Schedule 2 of the notice from the sources listed in Emissions Rule 1 of Schedule 1 of the notice, and excluding those emissions set out in Schedule 3 of the notice.

The information is being requested to assist the Minister to determine if the activity meets the criteria listed in section 161D(3)(a) of the Act.

The specified template, declaration and bases of preparation required by this notice, together with the guidance document for filling in these documents can be downloaded from www.climatechange.govt.nz/industrialallocation

The specified template, declaration and bases of preparation must be completed and returned to the Ministry for the Environment within 70 working days of the date of this notice. The Ministry would prefer to receive this information by email to industrialallocation@mfe.govt.nz. If you consider that providing the information by email would cause difficulties, you may return data on CD by mail or in person to the Ministry for the Environment, 23 Kate Sheppard Place, Wellington. Original signed copies of the declaration must also be provided. Please contact the Ministry on 0800 499 700 for any further assistance.

While the notice does not require the source information and records on which the data in the specified template is based, it would be prudent to retain this information for a period of seven years. The Minister is able to request any further information that he considers necessary to enable the verification of the accuracy of the information provided under this notice.

Persons to whom this notice applies should note that, under section 161D(7) of the Act, failure without reasonable excuse to supply the data and information required by this notice will mean that if the activity is subsequently prescribed as an eligible industry activity, those persons (and associated persons) may not be eligible to be allocated New Zealand units in respect of that activity.

In addition, it is an offence to knowingly provide altered, false, incomplete or misleading information (section 132 of the Act) or, with the intent to deceive and for the purpose of obtaining a material benefit or avoiding a material detriment, to fail to provide information or to provide altered, false, incomplete or misleading information (section 133 of the Act).

Call for the Provision of Data (Production of Clay Bricks and Field Tiles) Notice 2010

Pursuant to section 161D of the Climate Change Response Act 2002, I, Hon Nick Smith, Minister for Climate Change Issues, give the following notice requiring information on the Production of Clay Bricks and Field Tiles to determine the emissions-intensity of this activity and the allocative baseline or baselines of the products of the activity.

Notice

1. Title and commencement—(1) This notice may be cited as the Call for the Provision of Data (Production of Clay Bricks and Field Tiles) Notice 2010.

(2) This notice takes effect from and including 30 April 2010.

2. Interpretation—(1) Unless the context otherwise requires:

Act means the Climate Change Response Act 2002.

Activity outputs are the outputs used for the calculation of the revenue of the activity and mean the outputs specified in clause 2(2)(a), (b) and (c)

Bases of preparation means the form available at

www.climatechange.govt.nz/industrialallocation

Data collection rules means the methodologies for data collection specified in Schedule 1 of this notice.

Declaration means the statement of declaration located at

www.climatechange.govt.nz/industrialallocation

Excluded emissions means the emissions specified in Schedule 3 of this notice.

Financial years means the financial years beginning on 1 July and ending on 30 June for each of the periods 2006/2007, 2007/2008 and 2008/2009 during which the person carried out the activity.

Included emissions means the emissions specified in Schedule 2 of this notice from the sources listed in Emissions Rule 1 of Schedule 1.

Product (basis of allocation) means tonnes of

- (a) facing bricks and pavers primarily used for façade and landscaping
- (b) field tiles and other clay based products related to the fitting and joining of field tiles and drainage
- (c) fire bricks where these are produced from clay minerals as the raw materials but not where feldspar, silica and other metal oxides are added as a separate raw material which exceeds the 10% cap on additives

which result from the carrying out of the activity as described and are of saleable quality.

Specified Template means the table template located at

www.climatechange.govt.nz/industrialallocation

(2) **Activity** means the physical and chemical transformation of clays (including kaolinite and other clay minerals) by controlled mixing, forming, drying and firing of the raw materials at a single location, into:

- (a) facing bricks and pavers primarily used for façade and landscaping
- (b) field tiles and other clay based products related to the fitting and joining of field tiles and drainage
- (c) fire bricks where these are produced from clay minerals as the raw materials but not where feldspar, silica and other metal oxides are added as a separate raw material which exceeds the 10% cap on additives

Where:

- clay makes up at least 90% by weight of the raw materials
- the clay composition includes alumina, silica and varying degrees of metal oxides
- additives to the clay do not exceed 10% by weight of the raw materials
- the saleable product may be in a variety of shapes

(3) **Saleable** has its ordinary meaning as understood by participants in the relevant market, subject to subclauses (a) to (d):

- (a) Saleable is an output produced to a level at which it would ordinarily be considered by participants in the relevant market:
 - (i) to be the output of the process; and
 - (ii) to have a commercial value as that output.
 - (b) A sub-standard product which is discarded is taken not to be saleable or of saleable quality.
 - (c) An output which is recycled back while carrying out the activity as defined to produce a new output is not saleable or of saleable quality.
 - (d) Material which is scrapped or lost before it is packaged as a product that is saleable or of saleable quality:
 - (i) is not saleable or of saleable quality; and
 - (ii) is not to be included in an amount of product (basis of allocation).
- (4) Expressions defined in the Act have the same meaning in this notice as they do in the Act unless the context otherwise requires.

3. Data required to be provided—(1) Any person carrying out the activity on the date of this notice must provide to the Ministry for the Environment data for the financial years for the activity in the form of the specified template, calculated in accordance with the data collection rules, together with the completed declaration and bases of preparation.

(2) In calculating the data for the activity, the person must include only the included emissions and must exclude the excluded emissions.

4. Deadline for provision of data—The data required by clause 3 of this notice must be provided to the Ministry for the Environment within 30 working days of the date of this notice.

Schedule 1

Revenue Rules

1. Revenue must be calculated as the quantity of activity outputs, for each of the financial years, multiplied by an appropriate market price, exclusive of GST, for each activity output for each of the financial years.
2. Quantity of activity output(s) is either the direct measure of activity output or is calculated from units sold and changes in inventory. The same methodology must be used for all years.
3. The market price must be a 'plant gate' price for the activity output. It is the fair value of the product, as defined under the New Zealand Accounting Standard NZ IAS 18, adjusted for transport costs to reflect the market into which it is sold. It must be calculated for each of the financial years either from the revenue received from all external activity output sales during each of the financial years, divided by the number of units of external activity output sales during each of these years; or by using an observable market price for each of the financial years that is appropriate to the duration of time when the output was produced in those years. An observable market price must be based on a relevant price listed on an international exchange, a price obtained from an industry analyst's report or a price derived from government or industry body statistics.
4. Market price must be converted from foreign currencies to New Zealand dollars at the historical rate appropriate to the period of activity output.
5. A weight may be applied to the market price, as calculated in accordance with revenue rules 3 and 4, in each of the financial years. Where a weighting is used, a weight of 0.7 will be applied in the financial year with the highest market price and a weight of 1.15 will be applied in the other two financial years.

Emissions Rules

1. Data must be supplied for each financial year from only the following emissions sources, expressed in tonnes of CO₂ equivalent:
 - (a) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil as part of the activity;
 - (b) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil to generate steam that is used as part of the activity;
 - (c) the direct use of geothermal fluid as part of the activity, including the direct use of geothermal fluid to generate steam that is used as part of the activity;
 - (d) any of the activities listed in Part 4 of Schedule 3 of the Act carried out as part of the activity; and
 - (e) the use of electricity used as part of the activity.
2. Emissions must be calculated using the applicable formulae and emission factors specified in these data collection rules and in the specified template. Direct measures cannot be used as a substitute.
3. Emissions from the direct use of natural gas/coal as a feedstock must be calculated as zero when either (1) the feedstock is used to produce an obligation fuel defined in the Climate Change (Liquid Fossil Fuels) Regulations 2008, or (2) the production of the output is eligible to earn emission units under the Climate Change (Other Removal Activities) Regulations 2009.
4. Emissions for which no obligation exists under the Act due to an exemption made by Order in Council under section 60 of the Act must be calculated as zero.
5. Total emissions from a heat/steam plant must be allocated to an activity in proportion to its use of the output of the plant. Total emissions from a co-generation plant must be split between heat/steam and electricity emissions on the basis of relative efficiencies of production, using efficiency rates of 80% for steam and 35% for electricity, then the heat/steam emissions must be allocated to the activity in proportion to its use of the output of heat from the plant.

Emissions allocated to heat/steam production must be estimated using the following formula:

$$E_H = \frac{\frac{H}{e_H}}{\frac{H}{e_H} + \frac{P}{e_P}} * E_T \quad \text{and} \quad E_P = E_T - E_H$$

Where:

EH = emissions allocated to steam production

H = steam output (energy)

eH = assumed efficiency of steam production

P = delivered electricity generation (energy)

ep = assumed efficiency of electricity generation

ET = total direct emissions of the CHP system

Ep = emissions allocated to electricity production

6. The following specific formulae must be used in estimating direct emissions:

Coal

$$\text{Emissions} = (A_L \times CV_L \times EF_L) + (A_{SB} \times CV_{SB} \times EF_{SB}) + (A_B \times CV_B \times EF_B)$$

where:

A = tonnes of coal consumed for different varieties, including L = lignite, SB = sub-bituminous, B = bituminous

CV = calorific value of the coal class used

EF = relevant emission factor for the relevant coal class.

Natural gas

$$\text{Emissions} = A \times EF$$

where:

A = consumption of natural gas (in terajoules, or tonnes if LPG)

EF = emission factor for natural gas (use either one for the appropriate field(s), if known, or the national average if the gas field(s) is not known).

Geothermal fluid

$$\text{Emissions} = A \times EF$$

where:

A = consumption of geothermal fluid (in tonnes)

EF = emission factor for geothermal fluid.

Used or waste oil

$$\text{Emissions} = A \times CV \times EF$$

where:

A = consumption of used or waste oil (in tonnes)

CV = calorific value of the used or waste oil

EF = emission factor for the used or waste oil.

7. Emissions from industrial processes must be calculated using the formulae set out in Part 3 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
8. The emission factors used in calculating emissions must be those listed in Schedule 2 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
9. Indirect emissions from electricity use must be calculated using the following formula:
Emissions = A × EAF
where:
A = consumption of electricity (in MWh)
EAF = electricity allocation factor.
10. For eligibility purposes, electricity emissions must be estimated using an electricity allocation factor of 1 tonne of CO₂-e per megawatt hour of consumption.
11. For allocative baseline purposes, electricity emissions must be estimated using an electricity allocation factor of 0.52 tonnes of CO₂-e per megawatt hour of consumption.
12. Best endeavours must be used in calculating emissions. Simplified and reasonable emission calculation methods of the person's own design can be used for specified small emissions sources that are either excluded or included emissions, and are, in aggregate, estimated to be no more than 5% of total emissions from the activity at the site, provided that a 5% change in total estimated emissions would not change the eligibility status of the activity, if the activity of the person was

considered in isolation when making a decision about eligibility. All methods used must be disclosed in the bases of preparation.

13. All emissions associated with the activity must be counted, regardless of whether the output is of saleable quality.

Data Preparation Rules

1. The methods, assumptions and calculations used to produce the data must be disclosed in the bases of preparation along with the data in the specified template.
2. Where uncertainties arise when determining emission and revenue data, these uncertainties must be declared in the bases of preparation.

Schedule 2

Included emissions

Emissions that must be included in any information provided in response to this notice are emissions resulting from:

- (a) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, as part of the activity as described, including from machinery, equipment and processes which are integral to, and essential for, the physical, chemical and/or biological transformation involved in the activity as described, including, for example:
 - machinery used to move materials within and as part of the activity
 - control rooms, laboratories, maintenance workshops
 - machinery used to create non-electrical energy for use in the activity as described
 - the processing of by-products where they involve the recovery of materials for re-use within the activity or are necessary for the activity to proceed as described
 - onsite processing of waste materials from the activity to comply with regulatory obligations (including liquid discharge treatment, treatment of gaseous discharges and management of solid wastes);
- (b) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, to generate steam that is used as part of the activity as described;
- (c) waste heat recovery that is part of the activity as described;
- (d) forming of clay minerals into clay mass, including addition of water in pug mills;
- (e) crushing, grinding and milling of clay minerals prior to the firing process that are contiguous with the brick making process;
- (f) glazing where this is part of the first firing of the brick;
- (g) drying of wet bricks; and
- (h) cooling of bricks after firing.

Schedule 3**Excluded emissions**

Emissions that may not be included in any information provided in response to this notice are emissions resulting from:

- (a) the use of machinery and equipment, and other processes that are not integral to, nor essential to, the physical, chemical and/or biological transformation taking place when the activity as described is carried out;
- (b) any extraction or production of raw materials that are subsequently used when the activity as described is carried out;
- (c) the transportation of inputs used in the activity to storage at the location where the activity as defined is carried out;
- (d) the transportation of outputs of the activity from storage at the location where the activity as described is carried out to another location;
- (e) the transportation of intermediate products between different locations where the activity as described is carried out;
- (f) operations that are complementary to the activity as described, including (but not limited to) packaging, head office operations, and administration and marketing (whether carried out at the same location where the activity is carried out or at a different location);
- (g) the generation of electricity at the location where the activity as described is carried out;
- (h) further downstream processing of bricks, including but not limited to, the application of a slurry; double-fired (or secondary) glazing that does not occur as part of the initial mixing, forming, drying and firing of the raw materials; tumbling to produce an antique appearance; and
- (i) ceramics produced from raw materials including anything other than clay minerals, for example, including, but not limited to, ceramics where feldspar, silica and other metal oxides are added as a separate raw material.

Dated at Wellington this 30th day of April 2010.

HON NICK SMITH, Minister for Climate Change Issues.

Explanatory Note

This note is not part of the notice but is intended to indicate its general effect.

This notice, which comes into effect on 30 April 2010, requires any person carrying out the production of clay bricks and field tiles meal (as that activity is defined in the notice) to provide the information requested by the Minister in accordance with the data collection rules specified in the notice including only the emissions set out in Schedule 2 of the notice from the sources listed in Emissions Rule 1 of Schedule 1 of the notice, and excluding those emissions set out in Schedule 3 of the notice.

The information is being requested to assist the Minister to determine if the activity meets the criteria listed in section 161D(3)(a) of the Act.

The specified template, declaration and bases of preparation required by this notice, together with the guidance document for filling in these documents can be downloaded from
www.climatechange.govt.nz/industrialallocation

The specified template, declaration and bases of preparation must be completed and returned to the Ministry for the Environment within 30 working days of the date of this notice. The Ministry would prefer to receive this information by email to industrialallocation@mfe.govt.nz. If you consider that providing the information by email would cause difficulties, you may return data on CD by mail or in person to the Ministry for the Environment, 23 Kate Sheppard Place, Wellington. Original signed copies of the declaration must also be provided. Please contact the Ministry on 0800 499 700 for any further assistance.

While the notice does not require the source information and records on which the data in the specified template is based, it would be prudent to retain this information for a period of seven years. The Minister is able to request any further information that he considers necessary to enable the verification of the accuracy of the information provided under this notice.

Persons to whom this notice applies should note that, under section 161D(7) of the Act, failure without reasonable excuse to supply the data and information required by this notice will mean that if the activity is subsequently prescribed as an eligible industry activity, those persons (and associated persons) may not be eligible to be allocated New Zealand units in respect of that activity.

In addition, it is an offence to knowingly provide altered, false, incomplete or misleading information (section 132 of the Act) or, with the intent to deceive and for the purpose of obtaining a material benefit or avoiding a material detriment, to fail to provide information or to provide altered, false, incomplete or misleading information (section 133 of the Act).

Call for the Provision of Data (Production of Cucumbers) Notice 2010

Pursuant to section 161D of the Climate Change Response Act 2002, I, Hon Nick Smith, Minister for Climate Change Issues, give the following notice requiring information on the Production of Cucumbers to determine the emissions-intensity of this activity and the allocative baseline or baselines of the products of the activity.

Notice

1. Title and commencement—(1) This notice may be cited as the Call for the Provision of Data (Production of Cucumbers) Notice 2010.

(2) This notice takes effect from and including 30 April 2010.

2. Interpretation—(1) Unless the context otherwise requires:

Act means the Climate Change Response Act 2002.

Activity outputs are the outputs used for the calculation of the revenue of the activity and mean the outputs specified in clause 2(2).

Bases of preparation means the form available at www.climatechange.govt.nz/industrialallocation

Data collection rules means the methodologies for data collection specified in Schedule 1 of this notice.

Declaration means the statement of declaration located at

www.climatechange.govt.nz/industrialallocation

Excluded emissions means the emissions specified in Schedule 3 of this notice.

Financial years means the financial years beginning on 1 July and ending on 30 June for each of the periods 2006/2007, 2007/2008 and 2008/2009 during which the person carried out the activity.

Included emissions means the emissions specified in Schedule 2 of this notice from the sources listed in Emissions Rule 1 of Schedule 1.

Product (basis of allocation) means the tonnes of cucumbers of saleable quality produced from carrying out the activity as defined.

Specified Template means the table template located at

www.climatechange.govt.nz/industrialallocation

(2) **Activity** means the biological transformation from cucumber seedlings in their final growing position, following transfer from their propagation area, to cucumbers grown for commercial purposes, where the output of the activity is cucumbers.

(3) **Saleable** has its ordinary meaning as understood by participants in the relevant market, subject to subclauses (a) to (d):

(a) Saleable is an output produced to a level at which it would ordinarily be considered by participants in the relevant market:

(i) to be the output of the process; and

(ii) to have a commercial value as that output.

(b) A sub-standard product which is discarded is taken not to be saleable or of saleable quality.

(c) An output which is recycled back while carrying out the activity as defined to produce a new output is not saleable or of saleable quality.

(d) Material which is scrapped or lost before it is packaged as a product that is saleable or of saleable quality:

(i) is not saleable or of saleable quality; and

(ii) is not to be included in an amount of product (basis of allocation).

(4) Expressions defined in the Act have the same meaning in this notice as they do in the Act unless the context otherwise requires.

3. Data required to be provided—(1) Any person carrying out the activity on the date of this notice must provide to the Ministry for the Environment data for the financial years for the activity in the form of the specified template, calculated in accordance with the data collection rules, together with the completed declaration and bases of preparation.

(2) In calculating the data for the activity, the person must include only the included emissions and must exclude the excluded emissions.

4. Deadline for provision of data—The data required by clause 3 of this notice must be provided to the Ministry for the Environment within 65 working days of the date of this notice.

Schedule 1

Revenue Rules

1. Revenue must be calculated as the quantity of activity outputs, for each of the financial years, multiplied by an appropriate market price, exclusive of GST, for each activity output for each of the financial years.
2. Quantity of activity output(s) is either the direct measure of activity output or is calculated from units sold and changes in inventory. The same methodology must be used for all years.
3. The market price must be a 'plant gate' price for the activity output. It is the fair value of the product, as defined under the New Zealand Accounting Standard NZ IAS 18, adjusted for transport costs to reflect the market into which it is sold. It must be calculated for each of the financial years either from the revenue received from all external activity output sales during each of the financial years, divided by the number of units of external activity output sales during each of these years; or by using an observable market price for each of the financial years that is appropriate to the duration of time when the output was produced in those years. An observable market price must be based on a relevant price listed on an international exchange, a price obtained from an industry analyst's report or a price derived from government or industry body statistics.
4. Market price must be converted from foreign currencies to New Zealand dollars at the historical rate appropriate to the period of activity output.
5. A weight may be applied to the market price, as calculated in accordance with revenue rules 3 and 4, in each of the financial years. Where a weighting is used, a weight of 0.7 will be applied in the financial year with the highest market price and a weight of 1.15 will be applied in the other two financial years.

Emissions Rules

1. Data must be supplied for each financial year from only the following emissions sources, expressed in tonnes of CO₂ equivalent:
 - (a) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil as part of the activity;
 - (b) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil to generate steam that is used as part of the activity;
 - (c) the direct use of geothermal fluid as part of the activity, including the direct use of geothermal fluid to generate steam that is used as part of the activity;
 - (d) any of the activities listed in Part 4 of Schedule 3 of the Act carried out as part of the activity; and
 - (e) the use of electricity used as part of the activity.
2. Emissions must be calculated using the applicable formulae and emission factors specified in these data collection rules and in the specified template. Direct measures cannot be used as a substitute.
3. Emissions from the direct use of natural gas/coal as a feedstock must be calculated as zero when either (1) the feedstock is used to produce an obligation fuel defined in the Climate Change (Liquid

Fossil Fuels) Regulations 2008, or (2) the production of the output is eligible to earn emission units under the Climate Change (Other Removal Activities) Regulations 2009.

4. Emissions for which no obligation exists under the Act due to an exemption made by Order in Council under section 60 of the Act must be calculated as zero.
5. Total emissions from a heat/steam plant must be allocated to an activity in proportion to its use of the output of the plant. Total emissions from a co-generation plant must be split between heat/steam and electricity emissions on the basis of relative efficiencies of production, using efficiency rates of 80% for steam and 35% for electricity, then the heat/steam emissions must be allocated to the activity in proportion to its use of the output of heat from the plant.

Emissions allocated to heat/steam production must be estimated using the following formula:

$$E_H = \frac{\frac{H}{e_H}}{\frac{H}{e_H} + \frac{P}{e_P}} * E_T \quad \text{and} \quad E_P = E_T - E_H$$

Where:

EH = emissions allocated to steam production

H = steam output (energy)

eH = assumed efficiency of steam production

P = delivered electricity generation (energy)

ep = assumed efficiency of electricity generation

ET = total direct emissions of the CHP system

Ep = emissions allocated to electricity production

6. The following specific formulae must be used in estimating direct emissions:

Coal

$$\text{Emissions} = (A_L \times CV_L \times EF_L) + (A_{SB} \times CV_{SB} \times EF_{SB}) + (A_B \times CV_B \times EF_B)$$

where:

A = tonnes of coal consumed for different varieties, including L = lignite, SB = sub-bituminous, B = bituminous

CV = calorific value of the coal class used

EF = relevant emission factor for the relevant coal class.

Natural gas

$$\text{Emissions} = A \times EF$$

where:

A = consumption of natural gas (in terajoules, or tonnes if LPG)

EF = emission factor for natural gas (use either one for the appropriate field(s), if known, or the national average if the gas field(s) is not known).

Geothermal fluid

$$\text{Emissions} = A \times EF$$

where:

A = consumption of geothermal fluid (in tonnes)

EF = emission factor for geothermal fluid.

Used or waste oil

$$\text{Emissions} = A \times CV \times EF$$

where:

A = consumption of used or waste oil (in tonnes)

CV = calorific value of the used or waste oil

EF = emission factor for the used or waste oil.

7. Emissions from industrial processes must be calculated using the formulae set out in Part 3 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
8. The emission factors used in calculating emissions must be those listed in Schedule 2 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
9. Indirect emissions from electricity use must be calculated using the following formula:
Emissions = $A \times EAF$
where:
A = consumption of electricity (in MWh)
EAF = electricity allocation factor.
10. For eligibility purposes, electricity emissions must be estimated using an electricity allocation factor of 1 tonne of CO₂-e per megawatt hour of consumption.
11. For allocative baseline purposes, electricity emissions must be estimated using an electricity allocation factor of 0.52 tonnes of CO₂-e per megawatt hour of consumption.
12. Best endeavours must be used in calculating emissions. Simplified and reasonable emission calculation methods of the person's own design can be used for specified small emissions sources that are either excluded or included emissions, and are, in aggregate, estimated to be no more than 5% of total emissions from the activity at the site, provided that a 5% change in total estimated emissions would not change the eligibility status of the activity, if the activity of the person was considered in isolation when making a decision about eligibility. All methods used must be disclosed in the bases of preparation.
13. All emissions associated with the activity must be counted, regardless of whether the output is of saleable quality.

Data Preparation Rules

1. The methods, assumptions and calculations used to produce the data must be disclosed in the bases of preparation along with the data in the specified template.
2. Where uncertainties arise when determining emission and revenue data, these uncertainties must be declared in the bases of preparation.

Schedule 2**Included emissions**

Emissions that must be included in any information provided in response to this notice are emissions resulting from:

- (a) direct emissions from, and electricity use of, machinery, equipment and processes which are integral to, and essential for, the physical, chemical and/or biological transformation involved in the activity as defined, including, for example:

- machinery used to move materials within and as part of the activity
 - control rooms, laboratories, maintenance workshops
 - machinery used to create non-electrical energy for use in the activity as defined
 - onsite processing of waste materials from the activity to comply with regulatory obligations
 - machinery, equipment or processes used for environment control, such as heating and carbon dioxide generation
 - the transfer of water, nutrient solution and discharge water used in the activity;
- (b) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, to generate steam that is used as part of the activity as defined; and
- (c) reject production where this is not recycled in the process.

Schedule 3

Excluded emissions

Emissions that may not be included in any information provided in response to this notice are emissions resulting from:

- (a) the use of machinery and equipment, and other processes that are not integral to, nor essential to, the physical, chemical and/or biological transformation taking place when the activity as defined is carried out;
- (b) any extraction or production of raw materials that are subsequently used when the activity as defined is carried out;
- (c) the transportation of inputs used in the activity to storage at the location where the activity as defined is carried out;
- (d) the transportation of outputs of the activity from storage at the location where the activity as defined is carried out to another location;
- (e) the transportation of intermediate products between different locations where the activity as defined is carried out;
- (f) operations that are complementary to the activity as defined, including (but not limited to) packaging, head office operations, and administration and marketing (whether carried out at the same location where the activity is carried out or at a different location);
- (g) the generation of electricity at the location where the activity as defined is carried out;
- (h) grading, packing, storing and warehousing;
- (i) growing seedlings prior to planting into final growing position;
- (j) movement of seedlings from propagation area into final growing position; and
- (k) processing of the product (including, by way of artificial drying, evaporating, freezing, canning, bottling or preserving).

Dated at Wellington this 30th day of April 2010.

HON NICK SMITH, Minister for Climate Change Issues.

Explanatory Note

This note is not part of the notice but is intended to indicate its general effect.

This notice, which comes into effect on 30 April 2010, requires any person carrying out the production of cucumbers (as that activity is defined in the notice) to provide the information requested by the Minister in accordance with the data collection rules specified in the notice including only the emissions set out in Schedule 2 of the notice from the sources listed in Emissions Rule 1 of Schedule 1 of the notice, and excluding those emissions set out in Schedule 3 of the notice.

The information is being requested to assist the Minister to determine if the activity meets the criteria listed in section 161D(3)(a) of the Act.

The specified template, declaration and bases of preparation required by this notice, together with the guidance document for filling in these documents can be downloaded from
www.climatechange.govt.nz/industrialallocation

The specified template, declaration and bases of preparation must be completed and returned to the Ministry for the Environment within 65 working days of the date of this notice. The Ministry would prefer to receive this information by email to industrialallocation@mfe.govt.nz. If you consider that providing the information by email would cause difficulties, you may return data on CD by mail or in person to the Ministry for the Environment, 23 Kate Sheppard Place, Wellington. Original signed copies of the declaration must also be provided. Please contact the Ministry on 0800 499 700 for any further assistance.

While the notice does not require the source information and records on which the data in the specified template is based, it would be prudent to retain this information for a period of seven years. The Minister is able to request any further information that he considers necessary to enable the verification of the accuracy of the information provided under this notice.

Persons to whom this notice applies should note that, under section 161D(7) of the Act, failure without reasonable excuse to supply the data and information required by this notice will mean that if the activity is subsequently prescribed as an eligible industry activity, those persons (and associated persons) may not be eligible to be allocated New Zealand units in respect of that activity.

In addition, it is an offence to knowingly provide altered, false, incomplete or misleading information (section 132 of the Act) or, with the intent to deceive and for the purpose of obtaining a material benefit or avoiding a material detriment, to fail to provide information or to provide altered, false, incomplete or misleading information (section 133 of the Act).

Call for the Provision of Data (Production of Fresh Capsicums) Notice 2010

Pursuant to section 161D of the Climate Change Response Act 2002, I, Hon Nick Smith, Minister for Climate Change Issues, give the following notice requiring information on the Production of Fresh Capsicums to determine the emissions-intensity of this activity and the allocative baseline or baselines of the products of the activity.

Notice

1. Title and commencement—(1) This notice may be cited as the Call for the Provision of Data (Production of Fresh Capsicums) Notice 2010.

(2) This notice takes effect from and including 30 April 2010.

2. Interpretation—(1) Unless the context otherwise requires:

Act means the Climate Change Response Act 2002.

Activity outputs are the outputs used for the calculation of the revenue of the activity and mean the outputs specified in clause 2(2).

Bases of preparation means the form available at www.climatechange.govt.nz/industrialallocation

Data collection rules means the methodologies for data collection specified in Schedule 1 of this notice.

Declaration means the statement of declaration located at
www.climatechange.govt.nz/industrialallocation

Excluded emissions means the emissions specified in Schedule 3 of this notice.

Financial years means the financial years beginning on 1 July and ending on 30 June for each of the periods 2006/2007, 2007/2008 and 2008/2009 during which the person carried out the activity.

Included emissions means the emissions specified in Schedule 2 of this notice from the sources listed in Emissions Rule 1 of Schedule 1.

Product (basis of allocation) means the tonnes of fresh capsicums of saleable quality produced from carrying out the activity as defined.

Specified Template means the table template located at
www.climatechange.govt.nz/industrialallocation

(2) **Activity** means the biological transformation from capsicum seedlings in their final growing position, following transfer from their propagation area, to fresh capsicums grown for commercial purposes, where the output of the activity is fresh capsicums.

(3) **Saleable** has its ordinary meaning as understood by participants in the relevant market, subject to subclauses (a) to (d):

(a) Saleable is an output produced to a level at which it would ordinarily be considered by participants in the relevant market:

(i) to be the output of the process; and

(ii) to have a commercial value as that output.

(b) A sub-standard product which is discarded is taken not to be saleable or of saleable quality.

(c) An output which is recycled back while carrying out the activity as defined to produce a new output is not saleable or of saleable quality.

(d) Material which is scrapped or lost before it is packaged as a product that is saleable or of saleable quality:

(i) is not saleable or of saleable quality; and

(ii) is not to be included in an amount of product (basis of allocation).

(4) Expressions defined in the Act have the same meaning in this notice as they do in the Act unless the context otherwise requires.

3. Data required to be provided—(1) Any person carrying out the activity on the date of this notice must provide to the Ministry for the Environment data for the financial years for the activity in the form of the specified template, calculated in accordance with the data collection rules, together with the completed declaration and bases of preparation.

(2) In calculating the data for the activity, the person must include only the included emissions and must exclude the excluded emissions.

4. Deadline for provision of data—The data required by clause 3 of this notice must be provided to the Ministry for the Environment within 65 working days of the date of this notice.

Schedule 1

Revenue Rules

1. Revenue must be calculated as the quantity of activity outputs, for each of the financial years, multiplied by an appropriate market price, exclusive of GST, for each activity output for each of the financial years.
2. Quantity of activity output(s) is either the direct measure of activity output or is calculated from units sold and changes in inventory. The same methodology must be used for all years.
3. The market price must be a 'plant gate' price for the activity output. It is the fair value of the product, as defined under the New Zealand Accounting Standard NZ IAS 18, adjusted for transport costs to reflect the market into which it is sold. It must be calculated for each of the financial years either from the revenue received from all external activity output sales during each of the financial years, divided by the number of units of external activity output sales during each of these years; or by using an observable market price for each of the financial years that is appropriate to the duration of time when the output was produced in those years. An observable market price must be based on a relevant price listed on an international exchange, a price obtained from an industry analyst's report or a price derived from government or industry body statistics.
4. Market price must be converted from foreign currencies to New Zealand dollars at the historical rate appropriate to the period of activity output.
5. A weight may be applied to the market price, as calculated in accordance with revenue rules 3 and 4, in each of the financial years. Where a weighting is used, a weight of 0.7 will be applied in the financial year with the highest market price and a weight of 1.15 will be applied in the other two financial years.

Emissions Rules

1. Data must be supplied for each financial year from only the following emissions sources, expressed in tonnes of CO₂ equivalent:
 - (a) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil as part of the activity;
 - (b) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil to generate steam that is used as part of the activity;
 - (c) the direct use of geothermal fluid as part of the activity, including the direct use of geothermal fluid to generate steam that is used as part of the activity;
 - (d) any of the activities listed in Part 4 of Schedule 3 of the Act carried out as part of the activity; and
 - (e) the use of electricity used as part of the activity.
2. Emissions must be calculated using the applicable formulae and emission factors specified in these data collection rules and in the specified template. Direct measures cannot be used as a substitute.
3. Emissions from the direct use of natural gas/coal as a feedstock must be calculated as zero when either (1) the feedstock is used to produce an obligation fuel defined in the Climate Change (Liquid

Fossil Fuels) Regulations 2008, or (2) the production of the output is eligible to earn emission units under the Climate Change (Other Removal Activities) Regulations 2009.

4. Emissions for which no obligation exists under the Act due to an exemption made by Order in Council under section 60 of the Act must be calculated as zero.
5. Total emissions from a heat/steam plant must be allocated to an activity in proportion to its use of the output of the plant. Total emissions from a co-generation plant must be split between heat/steam and electricity emissions on the basis of relative efficiencies of production, using efficiency rates of 80% for steam and 35% for electricity, then the heat/steam emissions must be allocated to the activity in proportion to its use of the output of heat from the plant.

Emissions allocated to heat/steam production must be estimated using the following formula:

$$E_H = \frac{\frac{H}{e_H}}{\frac{H}{e_H} + \frac{P}{e_P}} * E_T \quad \text{and} \quad E_P = E_T - E_H$$

Where:

EH = emissions allocated to steam production

H = steam output (energy)

eH = assumed efficiency of steam production

P = delivered electricity generation (energy)

ep = assumed efficiency of electricity generation

ET = total direct emissions of the CHP system

Ep = emissions allocated to electricity production

6. The following specific formulae must be used in estimating direct emissions:

Coal

$$\text{Emissions} = (A_L \times CV_L \times EF_L) + (A_{SB} \times CV_{SB} \times EF_{SB}) + (A_B \times CV_B \times EF_B)$$

where:

A = tonnes of coal consumed for different varieties, including L = lignite, SB = sub-bituminous, B = bituminous

CV = calorific value of the coal class used

EF = relevant emission factor for the relevant coal class.

Natural gas

$$\text{Emissions} = A \times EF$$

where:

A = consumption of natural gas (in terajoules, or tonnes if LPG)

EF = emission factor for natural gas (use either one for the appropriate field(s), if known, or the national average if the gas field(s) is not known).

Geothermal fluid

$$\text{Emissions} = A \times EF$$

where:

A = consumption of geothermal fluid (in tonnes)

EF = emission factor for geothermal fluid.

Used or waste oil

$$\text{Emissions} = A \times CV \times EF$$

where:

A = consumption of used or waste oil (in tonnes)

CV = calorific value of the used or waste oil

EF = emission factor for the used or waste oil.

7. Emissions from industrial processes must be calculated using the formulae set out in Part 3 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
8. The emission factors used in calculating emissions must be those listed in Schedule 2 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
9. Indirect emissions from electricity use must be calculated using the following formula:
Emissions = A × EAF
where:
A = consumption of electricity (in MWh)
EAF = electricity allocation factor.
10. For eligibility purposes, electricity emissions must be estimated using an electricity allocation factor of 1 tonne of CO₂-e per megawatt hour of consumption.
11. For allocative baseline purposes, electricity emissions must be estimated using an electricity allocation factor of 0.52 tonnes of CO₂-e per megawatt hour of consumption.
12. Best endeavours must be used in calculating emissions. Simplified and reasonable emission calculation methods of the person's own design can be used for specified small emissions sources that are either excluded or included emissions, and are, in aggregate, estimated to be no more than 5% of total emissions from the activity at the site, provided that a 5% change in total estimated emissions would not change the eligibility status of the activity, if the activity of the person was considered in isolation when making a decision about eligibility. All methods used must be disclosed in the bases of preparation.
13. All emissions associated with the activity must be counted, regardless of whether the output is of saleable quality.

Data Preparation Rules

1. The methods, assumptions and calculations used to produce the data must be disclosed in the bases of preparation along with the data in the specified template.
2. Where uncertainties arise when determining emission and revenue data, these uncertainties must be declared in the bases of preparation.

Schedule 2**Included emissions**

Emissions that must be included in any information provided in response to this notice are emissions resulting from:

- (a) direct emissions from, and electricity use of, machinery, equipment and processes which are integral to, and essential for, the physical, chemical and/or biological transformation involved in the activity as defined, including, for example:

- machinery used to move materials within and as part of the activity
 - control rooms, laboratories, maintenance workshops
 - machinery used to create non-electrical energy for use in the activity as defined
 - onsite processing of waste materials from the activity to comply with regulatory obligations
 - machinery, equipment or processes used for environment control, such as heating and carbon dioxide generation
 - the transfer of water, nutrient solution and discharge water used in the activity;
- (b) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, to generate steam that is used as part of the activity as defined; and
- (c) reject production where this is not recycled in the process.

Schedule 3

Excluded emissions

Emissions that may not be included in any information provided in response to this notice are emissions resulting from:

- (a) the use of machinery and equipment, and other processes that are not integral to, nor essential to, the physical, chemical and/or biological transformation taking place when the activity as defined is carried out;
- (b) any extraction or production of raw materials that are subsequently used when the activity as defined is carried out;
- (c) the transportation of inputs used in the activity to storage at the location where the activity as defined is carried out;
- (d) the transportation of outputs of the activity from storage at the location where the activity as defined is carried out to another location;
- (e) the transportation of intermediate products between different locations where the activity as defined is carried out;
- (f) operations that are complementary to the activity as defined, including (but not limited to) packaging, head office operations, and administration and marketing (whether carried out at the same location where the activity is carried out or at a different location);
- (g) the generation of electricity at the location where the activity as defined is carried out;
- (h) grading, packing, storing and warehousing;
- (i) growing seedlings prior to planting into final growing position;
- (j) movement of seedlings from propagation area into final growing position;
- (k) processing of the product (including, by way of artificial drying, evaporating, freezing, canning, bottling or preserving).

Dated at Wellington this 30th day of April 2010.

HON NICK SMITH, Minister for Climate Change Issues.

Explanatory Note

This note is not part of the notice but is intended to indicate its general effect.

This notice, which comes into effect on 30 April 2010, requires any person carrying out the production of fresh capsicums (as that activity is defined in the notice) to provide the information requested by the Minister in accordance with the data collection rules specified in the notice including only the emissions set out in Schedule 2 of the notice from the sources listed in Emissions Rule 1 of Schedule 1 of the notice, and excluding those emissions set out in Schedule 3 of the notice.

The information is being requested to assist the Minister to determine if the activity meets the criteria listed in section 161D(3)(a) of the Act.

The specified template, declaration and bases of preparation required by this notice, together with the guidance document for filling in these documents can be downloaded from
www.climatechange.govt.nz/industrialallocation

The specified template, declaration and bases of preparation must be completed and returned to the Ministry for the Environment within 65 working days of the date of this notice. The Ministry would prefer to receive this information by email to industrialallocation@mfe.govt.nz. If you consider that providing the information by email would cause difficulties, you may return data on CD by mail or in person to the Ministry for the Environment, 23 Kate Sheppard Place, Wellington. Original signed copies of the declaration must also be provided. Please contact the Ministry on 0800 499 700 for any further assistance.

While the notice does not require the source information and records on which the data in the specified template is based, it would be prudent to retain this information for a period of seven years. The Minister is able to request any further information that he considers necessary to enable the verification of the accuracy of the information provided under this notice.

Persons to whom this notice applies should note that, under section 161D(7) of the Act, failure without reasonable excuse to supply the data and information required by this notice will mean that if the activity is subsequently prescribed as an eligible industry activity, those persons (and associated persons) may not be eligible to be allocated New Zealand units in respect of that activity.

In addition, it is an offence to knowingly provide altered, false, incomplete or misleading information (section 132 of the Act) or, with the intent to deceive and for the purpose of obtaining a material benefit or avoiding a material detriment, to fail to provide information or to provide altered, false, incomplete or misleading information (section 133 of the Act).

Call for the Provision of Data (Production of Fresh Tomatoes) Notice 2010

Pursuant to section 161D of the Climate Change Response Act 2002, I, Hon Nick Smith, Minister for Climate Change Issues, give the following notice requiring information on the Production of Fresh Tomatoes to determine the emissions-intensity of this activity and the allocative baseline or baselines of the products of the activity.

Notice

1. Title and commencement—(1) This notice may be cited as the Call for the Provision of Data (Production of Fresh Tomatoes) Notice 2010.

(2) This notice takes effect from and including 30 April 2010.

2. Interpretation—(1) Unless the context otherwise requires:

Act means the Climate Change Response Act 2002.

Activity outputs are the outputs used for the calculation of the revenue of the activity and mean the outputs specified in clause 2(2).

Bases of preparation means the form available at www.climatechange.govt.nz/industrialallocation

Data collection rules means the methodologies for data collection specified in Schedule 1 of this notice.

Declaration means the statement of declaration located at

www.climatechange.govt.nz/industrialallocation

Excluded emissions means the emissions specified in Schedule 3 of this notice.

Financial years means the financial years beginning on 1 July and ending on 30 June for each of the periods 2006/2007, 2007/2008 and 2008/2009 during which the person carried out the activity.

Included emissions means the emissions specified in Schedule 2 of this notice from the sources listed in Emissions Rule 1 of Schedule 1.

Product (basis of allocation) means the tonnes of fresh tomatoes of saleable quality produced from carrying out the activity as defined.

Specified Template means the table template located at

www.climatechange.govt.nz/industrialallocation

(2) **Activity** means the biological transformation from tomato seedlings in their final growing position, following transfer from their propagation area, to fresh tomatoes grown for commercial purposes, where the output of the activity is fresh tomatoes.

(3) **Saleable** has its ordinary meaning as understood by participants in the relevant market, subject to subclauses (a) to (d):

(a) Saleable is an output produced to a level at which it would ordinarily be considered by participants in the relevant market:

(i) to be the output of the process; and

(ii) to have a commercial value as that output.

(b) A sub-standard product which is discarded is taken not to be saleable or of saleable quality.

(c) An output which is recycled back while carrying out the activity as defined to produce a new output is not saleable or of saleable quality.

(d) Material which is scrapped or lost before it is packaged as a product that is saleable or of saleable quality:

(i) is not saleable or of saleable quality; and

(ii) is not to be included in an amount of product (basis of allocation).

(4) Expressions defined in the Act have the same meaning in this notice as they do in the Act unless the context otherwise requires.

3. Data required to be provided—(1) Any person carrying out the activity on the date of this notice must provide to the Ministry for the Environment data for the financial years for the activity in the form of the specified template, calculated in accordance with the data collection rules, together with the completed declaration and bases of preparation.

(2) In calculating the data for the activity, the person must include only the included emissions and must exclude the excluded emissions.

4. Deadline for provision of data—The data required by clause 3 of this notice must be provided to the Ministry for the Environment within 65 working days of the date of this notice.

Schedule 1

Revenue Rules

1. Revenue must be calculated as the quantity of activity outputs, for each of the financial years, multiplied by an appropriate market price, exclusive of GST, for each activity output for each of the financial years.
2. Quantity of activity output(s) is either the direct measure of activity output or is calculated from units sold and changes in inventory. The same methodology must be used for all years.
3. The market price must be a 'plant gate' price for the activity output. It is the fair value of the product, as defined under the New Zealand Accounting Standard NZ IAS 18, adjusted for transport costs to reflect the market into which it is sold. It must be calculated for each of the financial years either from the revenue received from all external activity output sales during each of the financial years, divided by the number of units of external activity output sales during each of these years; or by using an observable market price for each of the financial years that is appropriate to the duration of time when the output was produced in those years. An observable market price must be based on a relevant price listed on an international exchange, a price obtained from an industry analyst's report or a price derived from government or industry body statistics.
4. Market price must be converted from foreign currencies to New Zealand dollars at the historical rate appropriate to the period of activity output.
5. A weight may be applied to the market price, as calculated in accordance with revenue rules 3 and 4, in each of the financial years. Where a weighting is used, a weight of 0.7 will be applied in the financial year with the highest market price and a weight of 1.15 will be applied in the other two financial years.

Emissions Rules

1. Data must be supplied for each financial year from only the following emissions sources, expressed in tonnes of CO₂ equivalent:
 - (a) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil as part of the activity;
 - (b) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil to generate steam that is used as part of the activity;
 - (c) the direct use of geothermal fluid as part of the activity, including the direct use of geothermal fluid to generate steam that is used as part of the activity;
 - (d) any of the activities listed in Part 4 of Schedule 3 of the Act carried out as part of the activity; and
 - (e) the use of electricity used as part of the activity.
2. Emissions must be calculated using the applicable formulae and emission factors specified in these data collection rules and in the specified template. Direct measures cannot be used as a substitute.
3. Emissions from the direct use of natural gas/coal as a feedstock must be calculated as zero when either (1) the feedstock is used to produce an obligation fuel defined in the Climate Change (Liquid

Fossil Fuels) Regulations 2008, or (2) the production of the output is eligible to earn emission units under the Climate Change (Other Removal Activities) Regulations 2009.

4. Emissions for which no obligation exists under the Act due to an exemption made by Order in Council under section 60 of the Act must be calculated as zero.
5. Total emissions from a heat/steam plant must be allocated to an activity in proportion to its use of the output of the plant. Total emissions from a co-generation plant must be split between heat/steam and electricity emissions on the basis of relative efficiencies of production, using efficiency rates of 80% for steam and 35% for electricity, then the heat/steam emissions must be allocated to the activity in proportion to its use of the output of heat from the plant.

Emissions allocated to heat/steam production must be estimated using the following formula:

$$E_H = \frac{\frac{H}{e_H}}{\frac{H}{e_H} + \frac{P}{e_P}} * E_T \quad \text{and} \quad E_P = E_T - E_H$$

Where:

EH = emissions allocated to steam production

H = steam output (energy)

eH = assumed efficiency of steam production

P = delivered electricity generation (energy)

ep = assumed efficiency of electricity generation

ET = total direct emissions of the CHP system

Ep = emissions allocated to electricity production

6. The following specific formulae must be used in estimating direct emissions:

Coal

$$\text{Emissions} = (A_L \times CV_L \times EF_L) + (A_{SB} \times CV_{SB} \times EF_{SB}) + (A_B \times CV_B \times EF_B)$$

where:

A = tonnes of coal consumed for different varieties, including L = lignite, SB = sub-bituminous, B = bituminous

CV = calorific value of the coal class used

EF = relevant emission factor for the relevant coal class.

Natural gas

$$\text{Emissions} = A \times EF$$

where:

A = consumption of natural gas (in terajoules, or tonnes if LPG)

EF = emission factor for natural gas (use either one for the appropriate field(s), if known, or the national average if the gas field(s) is not known).

Geothermal fluid

$$\text{Emissions} = A \times EF$$

where:

A = consumption of geothermal fluid (in tonnes)

EF = emission factor for geothermal fluid.

Used or waste oil

$$\text{Emissions} = A \times CV \times EF$$

where:

A = consumption of used or waste oil (in tonnes)

CV = calorific value of the used or waste oil

EF = emission factor for the used or waste oil.

7. Emissions from industrial processes must be calculated using the formulae set out in Part 3 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
8. The emission factors used in calculating emissions must be those listed in Schedule 2 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
9. Indirect emissions from electricity use must be calculated using the following formula:
Emissions = A × EAF
where:
A = consumption of electricity (in MWh)
EAF = electricity allocation factor.
10. For eligibility purposes, electricity emissions must be estimated using an electricity allocation factor of 1 tonne of CO₂-e per megawatt hour of consumption.
11. For allocative baseline purposes, electricity emissions must be estimated using an electricity allocation factor of 0.52 tonnes of CO₂-e per megawatt hour of consumption.
12. Best endeavours must be used in calculating emissions. Simplified and reasonable emission calculation methods of the person's own design can be used for specified small emissions sources that are either excluded or included emissions, and are, in aggregate, estimated to be no more than 5% of total emissions from the activity at the site, provided that a 5% change in total estimated emissions would not change the eligibility status of the activity, if the activity of the person was considered in isolation when making a decision about eligibility. All methods used must be disclosed in the bases of preparation.
13. All emissions associated with the activity must be counted, regardless of whether the output is of saleable quality.

Data Preparation Rules

1. The methods, assumptions and calculations used to produce the data must be disclosed in the bases of preparation along with the data in the specified template.
2. Where uncertainties arise when determining emission and revenue data, these uncertainties must be declared in the bases of preparation.

Schedule 2**Included emissions**

Emissions that must be included in any information provided in response to this notice are emissions resulting from:

- (a) direct emissions from, and electricity use of, machinery, equipment and processes which are integral to, and essential for, the physical, chemical and/or biological transformation involved in the activity as defined, including, for example:

- machinery used to move materials within and as part of the activity
 - control rooms, laboratories, maintenance workshops
 - machinery used to create non-electrical energy for use in the activity as defined
 - onsite processing of waste materials from the activity to comply with regulatory obligations
 - machinery, equipment or processes used for environment control, such as heating and carbon dioxide generation
 - the transfer of water, nutrient solution and discharge water used in the activity;
- (b) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, to generate steam that is used as part of the activity as defined; and
- (c) reject production where this is not recycled in the process.

Schedule 3

Excluded emissions

Emissions that may not be included in any information provided in response to this notice are emissions resulting from:

- (a) the use of machinery and equipment, and other processes that are not integral to, nor essential to, the physical, chemical and/or biological transformation taking place when the activity as defined is carried out;
- (b) any extraction or production of raw materials that are subsequently used when the activity as defined is carried out;
- (c) the transportation of inputs used in the activity to storage at the location where the activity as defined is carried out;
- (d) the transportation of outputs of the activity from storage at the location where the activity as defined is carried out to another location;
- (e) the transportation of intermediate products between different locations where the activity as defined is carried out;
- (f) operations that are complementary to the activity as defined, including (but not limited to) packaging, head office operations, and administration and marketing (whether carried out at the same location where the activity is carried out or at a different location);
- (g) the generation of electricity at the location where the activity as defined is carried out;
- (h) grading, packing, storing and warehousing;
- (i) growing seedlings prior to planting into final growing position;
- (j) movement of seedlings from propagation area into final growing position; and
- (k) processing of the product (including, by way of artificial drying, evaporating, freezing, canning, bottling or preserving).

Dated at Wellington this 30th day of April 2010.

HON NICK SMITH, Minister for Climate Change Issues.

Explanatory Note

This note is not part of the notice but is intended to indicate its general effect.

This notice, which comes into effect on 30 April 2010, requires any person carrying out the production of fresh tomatoes (as that activity is defined in the notice) to provide the information requested by the Minister in accordance with the data collection rules specified in the notice including only the emissions set out in Schedule 2 of the notice from the sources listed in Emissions Rule 1 of Schedule 1 of the notice, and excluding those emissions set out in Schedule 3 of the notice.

The information is being requested to assist the Minister to determine if the activity meets the criteria listed in section 161D(3)(a) of the Act.

The specified template, declaration and bases of preparation required by this notice, together with the guidance document for filling in these documents can be downloaded from
www.climatechange.govt.nz/industrialallocation

The specified template, declaration and bases of preparation must be completed and returned to the Ministry for the Environment within 65 working days of the date of this notice. The Ministry would prefer to receive this information by email to industrialallocation@mfe.govt.nz. If you consider that providing the information by email would cause difficulties, you may return data on CD by mail or in person to the Ministry for the Environment, 23 Kate Sheppard Place, Wellington. Original signed copies of the declaration must also be provided. Please contact the Ministry on 0800 499 700 for any further assistance.

While the notice does not require the source information and records on which the data in the specified template is based, it would be prudent to retain this information for a period of seven years. The Minister is able to request any further information that he considers necessary to enable the verification of the accuracy of the information provided under this notice.

Persons to whom this notice applies should note that, under section 161D(7) of the Act, failure without reasonable excuse to supply the data and information required by this notice will mean that if the activity is subsequently prescribed as an eligible industry activity, those persons (and associated persons) may not be eligible to be allocated New Zealand units in respect of that activity.

In addition, it is an offence to knowingly provide altered, false, incomplete or misleading information (section 132 of the Act) or, with the intent to deceive and for the purpose of obtaining a material benefit or avoiding a material detriment, to fail to provide information or to provide altered, false, incomplete or misleading information (section 133 of the Act).

Call for the Provision of Data (Production of Gelatine) Notice 2010

Pursuant to section 161D of the Climate Change Response Act 2002, I, Hon Nick Smith, Minister for Climate Change Issues, give the following notice requiring information on the Production of Gelatine to determine the emissions-intensity of this activity and the allocative baseline or baselines of the products of the activity.

Notice

1. Title and commencement—(1) This notice may be cited as the Call for the Provision of Data (Production of Gelatine) Notice 2010.

(2) This notice takes effect from and including 30 April 2010.

2. Interpretation—(1) Unless the context otherwise requires:

Act means the Climate Change Response Act 2002.

Activity outputs are the outputs used for the calculation of the revenue of the activity and mean the outputs specified in clause 2(2).

Bases of preparation means the form available at
www.climatechange.govt.nz/industrialallocation

Data collection rules means the methodologies for data collection specified in Schedule 1 of this notice.

Declaration means the statement of declaration located at
www.climatechange.govt.nz/industrialallocation

Excluded emissions means the emissions specified in Schedule 3 of this notice.

Financial years means the financial years beginning on 1 July and ending on 30 June for each of the periods 2006/2007, 2007/2008 and 2008/2009 during which the person carried out the activity.

Included emissions means the emissions specified in Schedule 2 of this notice from the sources listed in Emissions Rule 1 of Schedule 1.

Product (basis of allocation) means the tonnes, on a dry weight basis, of saleable gelatine with no less than 97% protein on a dry weight basis, produced by carrying out the activity as defined.

Specified Template means the table template located at
www.climatechange.govt.nz/industrialallocation

(2) **Activity** means the physical and chemical transformation of collagen contained in animal material, including skins, bones and connective tissues, to produce gelatine with no less than 97% protein content on a dry weight basis, where the output of the activity is gelatin with no less than 97% protein content on a dry weight basis.

(3) **Saleable** has its ordinary meaning as understood by participants in the relevant market, subject to subclauses (a) to (d):

(a) Saleable is an output produced to a level at which it would ordinarily be considered by participants in the relevant market:

(i) to be the output of the process; and

(ii) to have a commercial value as that output.

(b) A sub-standard product which is discarded is taken not to be saleable or of saleable quality.

(c) An output which is recycled back while carrying out the activity as defined to produce a new output is not saleable or of saleable quality.

(d) Material which is scrapped or lost before it is packaged as a product that is saleable or of saleable quality:

(i) is not saleable or of saleable quality; and

(ii) is not to be included in an amount of product (basis of allocation).

(4) Expressions defined in the Act have the same meaning in this notice as they do in the Act unless the context otherwise requires.

3. Data required to be provided—(1) Any person carrying out the activity on the date of this notice must provide to the Ministry for the Environment data for the financial years for the activity in the form

of the specified template, calculated in accordance with the data collection rules, together with the completed declaration and bases of preparation.

(2) In calculating the data for the activity, the person must include only the included emissions and must exclude the excluded emissions.

4. Deadline for provision of data—The data required by clause 3 of this notice must be provided to the Ministry for the Environment within 30 working days of the date of this notice.

Schedule 1

Revenue Rules

1. Revenue must be calculated as the quantity of activity outputs, for each of the financial years, multiplied by an appropriate market price, exclusive of GST, for each activity output for each of the financial years.
2. Quantity of activity output(s) is either the direct measure of activity output or is calculated from units sold and changes in inventory. The same methodology must be used for all years.
3. The market price must be a 'plant gate' price for the activity output. It is the fair value of the product, as defined under the New Zealand Accounting Standard NZ IAS 18, adjusted for transport costs to reflect the market into which it is sold. It must be calculated for each of the financial years either from the revenue received from all external activity output sales during each of the financial years, divided by the number of units of external activity output sales during each of these years; or by using an observable market price for each of the financial years that is appropriate to the duration of time when the output was produced in those years. An observable market price must be based on a relevant price listed on an international exchange, a price obtained from an industry analyst's report or a price derived from government or industry body statistics.
4. Market price must be converted from foreign currencies to New Zealand dollars at the historical rate appropriate to the period of activity output.
5. A weight may be applied to the market price, as calculated in accordance with revenue rules 3 and 4, in each of the financial years. Where a weighting is used, a weight of 0.7 will be applied in the financial year with the highest market price and a weight of 1.15 will be applied in the other two financial years.

Emissions Rules

1. Data must be supplied for each financial year from only the following emissions sources, expressed in tonnes of CO₂ equivalent:
 - (a) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil as part of the activity;
 - (b) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil to generate steam that is used as part of the activity;
 - (c) the direct use of geothermal fluid as part of the activity, including the direct use of geothermal fluid to generate steam that is used as part of the activity;
 - (d) any of the activities listed in Part 4 of Schedule 3 of the Act carried out as part of the activity; and
 - (e) the use of electricity used as part of the activity.
2. Emissions must be calculated using the applicable formulae and emission factors specified in these data collection rules and in the specified template. Direct measures cannot be used as a substitute.

3. Emissions from the direct use of natural gas/coal as a feedstock must be calculated as zero when either (1) the feedstock is used to produce an obligation fuel defined in the Climate Change (Liquid Fossil Fuels) Regulations 2008, or (2) the production of the output is eligible to earn emission units under the Climate Change (Other Removal Activities) Regulations 2009.
4. Emissions for which no obligation exists under the Act due to an exemption made by Order in Council under section 60 of the Act must be calculated as zero.
5. Total emissions from a heat/steam plant must be allocated to an activity in proportion to its use of the output of the plant. Total emissions from a co-generation plant must be split between heat/steam and electricity emissions on the basis of relative efficiencies of production, using efficiency rates of 80% for steam and 35% for electricity, then the heat/steam emissions must be allocated to the activity in proportion to its use of the output of heat from the plant.

Emissions allocated to heat/steam production must be estimated using the following formula:

$$E_H = \frac{\frac{H}{e_H}}{\frac{H}{e_H} + \frac{P}{e_p}} * E_T \quad \text{and} \quad E_p = E_T - E_H$$

Where:

EH = emissions allocated to steam production

H = steam output (energy)

eH = assumed efficiency of steam production

P = delivered electricity generation (energy)

ep = assumed efficiency of electricity generation

ET = total direct emissions of the CHP system

Ep = emissions allocated to electricity production

6. The following specific formulae must be used in estimating direct emissions:

Coal

Emissions = $(A_L \times CV_L \times EF_L) + (A_{SB} \times CV_{SB} \times EF_{SB}) + (A_B \times CV_B \times EF_B)$

where:

A = tonnes of coal consumed for different varieties, including L = lignite, SB = sub-bituminous, B = bituminous

CV = calorific value of the coal class used

EF = relevant emission factor for the relevant coal class.

Natural gas

Emissions = $A \times EF$

where:

A = consumption of natural gas (in terajoules, or tonnes if LPG)

EF = emission factor for natural gas (use either one for the appropriate field(s), if known, or the national average if the gas field(s) is not known).

Geothermal fluid

Emissions = $A \times EF$

where:

A = consumption of geothermal fluid (in tonnes)

EF = emission factor for geothermal fluid.

Used or waste oil

$$\text{Emissions} = A \times CV \times EF$$

where:

A = consumption of used or waste oil (in tonnes)

CV = calorific value of the used or waste oil

EF = emission factor for the used or waste oil.

7. Emissions from industrial processes must be calculated using the formulae set out in Part 3 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
8. The emission factors used in calculating emissions must be those listed in Schedule 2 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
9. Indirect emissions from electricity use must be calculated using the following formula:
$$\text{Emissions} = A \times \text{EAF}$$

where:
A = consumption of electricity (in MWh)
EAF = electricity allocation factor.
10. For eligibility purposes, electricity emissions must be estimated using an electricity allocation factor of 1 tonne of CO₂-e per megawatt hour of consumption.
11. For allocative baseline purposes, electricity emissions must be estimated using an electricity allocation factor of 0.52 tonnes of CO₂-e per megawatt hour of consumption.
12. Best endeavours must be used in calculating emissions. Simplified and reasonable emission calculation methods of the person's own design can be used for specified small emissions sources that are either excluded or included emissions, and are, in aggregate, estimated to be no more than 5% of total emissions from the activity at the site, provided that a 5% change in total estimated emissions would not change the eligibility status of the activity, if the activity of the person was considered in isolation when making a decision about eligibility. All methods used must be disclosed in the bases of preparation.
13. All emissions associated with the activity must be counted, regardless of whether the output is of saleable quality.

Data Preparation Rules

1. The methods, assumptions and calculations used to produce the data must be disclosed in the bases of preparation along with the data in the specified template.
2. Where uncertainties arise when determining emission and revenue data, these uncertainties must be declared in the bases of preparation.

Schedule 2**Included emissions**

Emissions that must be included in any information provided in response to this notice are emissions resulting from:

- (a) direct emissions from, and electricity use of, machinery, equipment and processes which are integral to, and essential for, the physical, chemical and/or biological transformation involved in the activity as defined, including, for example:

- machinery used to move materials within and as part of the activity
 - control rooms, laboratories, maintenance workshops
 - machinery used to create non-electrical energy for use in the activity as defined
 - the processing of by-products where they involve the recovery of materials for re-use within the activity or are necessary for the activity to proceed as defined
 - onsite processing of waste materials from the activity to comply with regulatory obligations;
- (b) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, to generate steam that is used as part of the activity as defined; and
- (c) waste heat recovery that is part of the activity as defined.

Schedule 3

Excluded emissions

Emissions that may not be included in any information provided in response to this notice are emissions resulting from:

- (a) the use of machinery and equipment, and other processes that are not integral to, nor essential to, the physical, chemical and/or biological transformation taking place when the activity as defined is carried out;
- (b) any extraction or production of raw materials that are subsequently used when the activity as defined is carried out;
- (c) the transportation of inputs used in the activity to storage at the location where the activity as defined is carried out;
- (d) the transportation of outputs of the activity from storage at the location where the activity as defined is carried out to another location;
- (e) the transportation of intermediate products between different locations where the activity as defined is carried out;
- (f) operations that are complementary to the activity as defined, including (but not limited to) packaging, head office operations, and administration and marketing (whether carried out at the same location where the activity is carried out or at a different location);
- (g) the generation of electricity at the location where the activity as defined is carried out; and
- (h) the off-site storage or pre-processing of inputs, such as chilling or salting.

Dated at Wellington this 30th day of April 2010.

HON NICK SMITH, Minister for Climate Change Issues.

Explanatory Note

This note is not part of the notice but is intended to indicate its general effect.

This notice, which comes into effect on 30 April 2010, requires any person carrying out the production of gelatine (as that activity is defined in the notice) to provide the information requested by the Minister in accordance with the data collection rules specified in the notice including only the emissions set out in Schedule 2 of the notice from the sources listed in Emissions Rule 1 of Schedule 1 of the notice, and excluding those emissions set out in Schedule 3 of the notice.

The information is being requested to assist the Minister to determine if the activity meets the criteria listed in section 161D(3)(a) of the Act.

The specified template, declaration and bases of preparation required by this notice, together with the guidance document for filling in these documents can be downloaded from
www.climatechange.govt.nz/industrialallocation

The specified template, declaration and bases of preparation must be completed and returned to the Ministry for the Environment within 30 working days of the date of this notice. The Ministry would prefer to receive this information by email to industrialallocation@mfe.govt.nz. If you consider that providing the information by email would cause difficulties, you may return data on CD by mail or in person to the Ministry for the Environment, 23 Kate Sheppard Place, Wellington. Original signed copies of the declaration must also be provided. Please contact the Ministry on 0800 499 700 for any further assistance.

While the notice does not require the source information and records on which the data in the specified template is based, it would be prudent to retain this information for a period of seven years. The Minister is able to request any further information that he considers necessary to enable the verification of the accuracy of the information provided under this notice.

Persons to whom this notice applies should note that, under section 161D(7) of the Act, failure without reasonable excuse to supply the data and information required by this notice will mean that if the activity is subsequently prescribed as an eligible industry activity, those persons (and associated persons) may not be eligible to be allocated New Zealand units in respect of that activity.

In addition, it is an offence to knowingly provide altered, false, incomplete or misleading information (section 132 of the Act) or, with the intent to deceive and for the purpose of obtaining a material benefit or avoiding a material detriment, to fail to provide information or to provide altered, false, incomplete or misleading information (section 133 of the Act).

Call for the Provision of Data (Production of Protein Meal) Notice 2010

Pursuant to section 161D of the Climate Change Response Act 2002, I, Hon Nick Smith, Minister for Climate Change Issues, give the following notice requiring information on the Production of Protein Meal to determine the emissions-intensity of this activity and the allocative baseline or baselines of the products of the activity.

Notice

1. Title and commencement—(1) This notice may be cited as the Call for the Provision of Data (Production of Protein Meal) Notice 2010.

(2) This notice takes effect from and including 30 April 2010.

2. Interpretation—(1) Unless the context otherwise requires:

Act means the Climate Change Response Act 2002.

Activity outputs are the outputs used for the calculation of the revenue of the activity and mean the outputs specified in clauses 2(2)(a) and 2(2)(b).

Bases of preparation means the form available at

www.climatechange.govt.nz/industrialallocation

Data collection rules means the methodologies for data collection specified in Schedule 1 of this notice.

Declaration means the statement of declaration located at

www.climatechange.govt.nz/industrialallocation

Excluded emissions means the emissions specified in Schedule 3 of this notice.

Financial years means the financial years beginning on 1 July and ending on 30 June for each of the periods 2006/2007, 2007/2008 and 2008/2009 during which the person carried out the activity.

Included emissions means the emissions specified in Schedule 2 of this notice from the sources listed in Emissions Rule 1 of Schedule 1.

Livestock-derived animal material means animal materials from terrestrial animals including cattle, sheep, pigs, goats, deer, hordes, chickens, but does not include material from fish.

Product (basis of allocation) means tonnes of protein meal (such as meat and bone meal, dried blood and feather meal) with a moisture content of 10% or less, that:

- a. are produced by carrying on the activity as described; and
- b. are of saleable quality.

Specified Template means the table template located at

www.climatechange.govt.nz/industrialallocation

(2) **Activity** means the physical and chemical transformation of raw livestock-derived animal material into:

- (a) protein meals (such as meat and bone meal, dried blood and feather meal) which must have a moisture content of 10% or less; and
- (b) tallow co-products.

(3) **Saleable** has its ordinary meaning as understood by participants in the relevant market, subject to subclauses (a) to (d):

- (a) Saleable is an output produced to a level at which it would ordinarily be considered by participants in the relevant market:
 - (i) to be the output of the process; and
 - (ii) to have a commercial value as that output.
- (b) A sub-standard product which is discarded is taken not to be saleable or of saleable quality.
- (c) An output which is recycled back while carrying out the activity as defined to produce a new output is not saleable or of saleable quality.
- (d) Material which is scrapped or lost before it is packaged as a product that is saleable or of saleable quality:
 - (i) is not saleable or of saleable quality; and

(ii) is not to be included in an amount of product (basis of allocation).

(4) Expressions defined in the Act have the same meaning in this notice as they do in the Act unless the context otherwise requires.

3. Data required to be provided—(1) Any person carrying out the activity on the date of this notice must provide to the Ministry for the Environment data for the financial years for the activity in the form of the specified template, calculated in accordance with the data collection rules, together with the completed declaration and bases of preparation.

(2) In calculating the data for the activity, the person must include only the included emissions and must exclude the excluded emissions.

4. Deadline for provision of data—The data required by clause 3 of this notice must be provided to the Ministry for the Environment within 65 working days of the date of this notice.

Schedule 1

Revenue Rules

1. Revenue must be calculated as the quantity of activity outputs, for each of the financial years, multiplied by an appropriate market price, exclusive of GST, for each activity output for each of the financial years.
2. Quantity of activity output(s) is either the direct measure of activity output or is calculated from units sold and changes in inventory. The same methodology must be used for all years.
3. The market price must be a 'plant gate' price for the activity output. It is the fair value of the product, as defined under the New Zealand Accounting Standard NZ IAS 18, adjusted for transport costs to reflect the market into which it is sold. It must be calculated for each of the financial years either from the revenue received from all external activity output sales during each of the financial years, divided by the number of units of external activity output sales during each of these years; or by using an observable market price for each of the financial years that is appropriate to the duration of time when the output was produced in those years. An observable market price must be based on a relevant price listed on an international exchange, a price obtained from an industry analyst's report or a price derived from government or industry body statistics.
4. Market price must be converted from foreign currencies to New Zealand dollars at the historical rate appropriate to the period of activity output.
5. A weight may be applied to the market price, as calculated in accordance with revenue rules 3 and 4, in each of the financial years. Where a weighting is used, a weight of 0.7 will be applied in the financial year with the highest market price and a weight of 1.15 will be applied in the other two financial years.

Emissions Rules

1. Data must be supplied for each financial year from only the following emissions sources, expressed in tonnes of CO₂ equivalent:
 - (a) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil as part of the activity;
 - (b) the direct oxidation or use as feedstock of any coal, natural gas, used oil, or waste oil to generate steam that is used as part of the activity;
 - (c) the direct use of geothermal fluid as part of the activity, including the direct use of geothermal fluid to generate steam that is used as part of the activity;

- (d) any of the activities listed in Part 4 of Schedule 3 of the Act carried out as part of the activity; and
 - (e) the use of electricity used as part of the activity.
2. Emissions must be calculated using the applicable formulae and emission factors specified in these data collection rules and in the specified template. Direct measures cannot be used as a substitute.
 3. Emissions from the direct use of natural gas/coal as a feedstock must be calculated as zero when either (1) the feedstock is used to produce an obligation fuel defined in the Climate Change (Liquid Fossil Fuels) Regulations 2008, or (2) the production of the output is eligible to earn emission units under the Climate Change (Other Removal Activities) Regulations 2009.
 4. Emissions for which no obligation exists under the Act due to an exemption made by Order in Council under section 60 of the Act must be calculated as zero.
 5. Total emissions from a heat/steam plant must be allocated to an activity in proportion to its use of the output of the plant. Total emissions from a co-generation plant must be split between heat/steam and electricity emissions on the basis of relative efficiencies of production, using efficiency rates of 80% for steam and 35% for electricity, then the heat/steam emissions must be allocated to the activity in proportion to its use of the output of heat from the plant.

Emissions allocated to heat/steam production must be estimated using the following formula:

$$E_H = \frac{\frac{H}{e_H}}{\frac{H}{e_H} + \frac{P}{e_p}} * E_T \quad \text{and} \quad E_p = E_T - E_H$$

Where:

EH = emissions allocated to steam production

H = steam output (energy)

eH = assumed efficiency of steam production

P = delivered electricity generation (energy)

ep = assumed efficiency of electricity generation

ET = total direct emissions of the CHP system

Ep = emissions allocated to electricity production

6. The following specific formulae must be used in estimating direct emissions:

Coal

Emissions = $(A_L \times CV_L \times EF_L) + (A_{SB} \times CV_{SB} \times EF_{SB}) + (A_B \times CV_B \times EF_B)$

where:

A = tonnes of coal consumed for different varieties, including L = lignite, SB = sub-bituminous, B = bituminous

CV = calorific value of the coal class used

EF = relevant emission factor for the relevant coal class.

Natural gas

Emissions = $A \times EF$

where:

A = consumption of natural gas (in terajoules, or tonnes if LPG)

EF = emission factor for natural gas (use either one for the appropriate field(s), if known, or the national average if the gas field(s) is not known).

Geothermal fluid

$$\text{Emissions} = A \times EF$$

where:

A = consumption of geothermal fluid (in tonnes)

EF = emission factor for geothermal fluid.

Used or waste oil

$$\text{Emissions} = A \times CV \times EF$$

where:

A = consumption of used or waste oil (in tonnes)

CV = calorific value of the used or waste oil

EF = emission factor for the used or waste oil.

7. Emissions from industrial processes must be calculated using the formulae set out in Part 3 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
8. The emission factors used in calculating emissions must be those listed in Schedule 2 of the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009.
9. Indirect emissions from electricity use must be calculated using the following formula:
$$\text{Emissions} = A \times EAF$$

where:

A = consumption of electricity (in MWh)

EAF = electricity allocation factor.
10. For eligibility purposes, electricity emissions must be estimated using an electricity allocation factor of 1 tonne of CO₂-e per megawatt hour of consumption.
11. For allocative baseline purposes, electricity emissions must be estimated using an electricity allocation factor of 0.52 tonnes of CO₂-e per megawatt hour of consumption.
12. Best endeavours must be used in calculating emissions. Simplified and reasonable emission calculation methods of the person's own design can be used for specified small emissions sources that are either excluded or included emissions, and are, in aggregate, estimated to be no more than 5% of total emissions from the activity at the site, provided that a 5% change in total estimated emissions would not change the eligibility status of the activity, if the activity of the person was considered in isolation when making a decision about eligibility. All methods used must be disclosed in the bases of preparation.
13. All emissions associated with the activity must be counted, regardless of whether the output is of saleable quality.

Data Preparation Rules

1. The methods, assumptions and calculations used to produce the data must be disclosed in the bases of preparation along with the data in the specified template.
2. Where uncertainties arise when determining emission and revenue data, these uncertainties must be declared in the bases of preparation.

Schedule 2**Included emissions**

Emissions that must be included in any information provided in response to this notice are emissions resulting from:

- (a) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, as part of the activity as described, including from machinery, equipment and processes which are integral to, and essential for, the physical, chemical and/or biological transformation involved in the activity as described, including, for example:
 - machinery used to move materials within and as part of the activity
 - control rooms, laboratories, maintenance workshops
 - machinery used to create non-electrical energy for use in the activity as described
 - the processing of by-products where they involve the recovery of materials for re-use within the activity or are necessary for the activity to proceed as described
 - onsite processing of waste materials from the activity to comply with regulatory obligations (including liquid discharge treatment, treatment of gaseous discharges and management of solid wastes);
- (b) the direct use of any coal, natural gas, geothermal fluid, used oil, or waste oil, or the use of electricity, to generate steam that is used as part of the activity as described;
- (c) waste heat recovery that is part of the activity as described;
- (d) paunch cutting and washing, hogging, hashing, pre-braking, hydrolysing and/or skinning of casualty stock to prepare the animal material for processing;
- (e) on-site conveyance of prepared animal materials; and
- (f) storage of tallow in tallow tanks, including re-heat of tallow tanks for load out.

Schedule 3**Excluded emissions**

Emissions that may not be included in any information provided in response to this notice are emissions resulting from:

- (a) the use of machinery and equipment, and other processes that are not integral to, nor essential to, the physical, chemical and/or biological transformation taking place when the activity as described is carried out;
- (b) any extraction or production of raw materials that are subsequently used when the activity as described is carried out;
- (c) the transportation of inputs used in the activity to storage at the location where the activity as described is carried out with the exception of onsite conveying or prepared animal material as described above;

- (d) the transportation of outputs of the activity from storage at the location where the activity as described is carried out to another location;
- (e) the transportation of intermediate products between different location where the activity as described is carried out;
- (f) operations that are complementary to the activity as described, including (but not limited to) packaging, head office operations, and administration and marketing (whether carried out at the same location where the activity is carried out or at a different location);
- (g) the generation of electricity at the location where the activity as described is carried out; and
- (h) the processing or rendering of fish or fish products.

Dated at Wellington this 30th day of April 2010.

HON NICK SMITH, Minister for Climate Change Issues.

Explanatory Note

This note is not part of the notice but is intended to indicate its general effect.

This notice, which comes into effect on 30 April 2010, requires any person carrying out the production of protein meal (as that activity is defined in the notice) to provide the information requested by the Minister in accordance with the data collection rules specified in the notice including only the emissions set out in Schedule 2 of the notice from the sources listed in Emissions Rule 1 of Schedule 1 of the notice, and excluding those emissions set out in Schedule 3 of the notice.

The information is being requested to assist the Minister to determine if the activity meets the criteria listed in section 161D(3)(a) of the Act.

The specified template, declaration and bases of preparation required by this notice, together with the guidance document for filling in these documents can be downloaded from
www.climatechange.govt.nz/industrialallocation

The specified template, declaration and bases of preparation must be completed and returned to the Ministry for the Environment within 65 working days of the date of this notice. The Ministry would prefer to receive this information by email to industrialallocation@mfe.govt.nz. If you consider that providing the information by email would cause difficulties, you may return data on CD by mail or in person to the Ministry for the Environment, 23 Kate Sheppard Place, Wellington. Original signed copies of the declaration must also be provided. Please contact the Ministry on 0800 499 700 for any further assistance.

While the notice does not require the source information and records on which the data in the specified template is based, it would be prudent to retain this information for a period of seven years. The Minister is able to request any further information that he considers necessary to enable the verification of the accuracy of the information provided under this notice.

Persons to whom this notice applies should note that, under section 161D(7) of the Act, failure without reasonable excuse to supply the data and information required by this notice will mean that if the activity is subsequently prescribed as an eligible industry activity, those persons (and associated persons) may not be eligible to be allocated New Zealand units in respect of that activity.

In addition, it is an offence to knowingly provide altered, false, incomplete or misleading information (section 132 of the Act) or, with the intent to deceive and for the purpose of obtaining a material benefit or avoiding a material detriment, to fail to provide information or to provide altered, false, incomplete or misleading information (section 133 of the Act).