

EP302*

Environmental Protection Act 1986

Environmental Protection (Diesel and Petrol) Amendment Regulations 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Environmental Protection (Diesel and Petrol) Amendment Regulations 2000*.

2. The regulations amended

The amendments in these regulations are to the *Environmental Protection (Diesel and Petrol) Regulations 1999**.

[* *Published 17 December 1999, p. 6305.*]

3. Regulation 3 amended

Regulation 3(1) is amended as follows:

- (a) in the definition “ASTM” by deleting “1999” and inserting instead —
“ 2000 ”;
- (b) in the definition “fuel” —
 - (i) by deleting “but does not include — ” and inserting a semicolon; and
 - (ii) by deleting paragraphs (a), (b), (c), (d), and (e);
- (c) in the definition “IP” by deleting “1999” and inserting instead —
“ 2000 ”;
- (d) after the definition “IP” by inserting the following definition —
“
“**motorsport organisation**” includes the following organisations —
 - (a) Confederation of Australian Motor Sport (CAMS);
 - (b) National Association of Speedway Racing;
 - (c) Australian National Drag Racing Association; and
 - (d) Motorcycling Australia;”.

4. Regulations 3A and 3B inserted

After regulation 3 the following regulations are inserted —

“

3A. Regulations do not apply to some fuel

These regulations do not apply to —

- (a) petrol that is for use in an aircraft or in a motor vehicle used solely for motor racing at a racing event or facility approved or recognised by a motorsport organisation;
- (b) diesel that is for use in a boat while it is at sea;
- (c) liquefied petroleum gas;
- (d) liquefied natural gas;
- (e) compressed natural gas; or
- (f) alcohols, including ethanol.

3B. Exemption where state of emergency has been declared

- (1) A fuel supplier or a fuel distributor does not commit an offence under regulation 9 if the fuel supplier or fuel distributor supplies or uses petrol that does not conform with the specifications in Table B of Schedule 2 during a period when an order made by the Governor under section 43 of the *Fuel, Energy and Power Resources Act 1972* is in force.
- (2) A fuel supplier does not commit an offence under regulation 10(2) if the fuel supplier supplies or uses petrol that does not conform with the specifications set out in regulation 10(2) and, at any time during the period when the average Reid Vapour Pressure of the petrol is calculated, an order made by the Governor under section 43 of the *Fuel, Energy and Power Resources Act 1972* declaring that a state of emergency exists in the Perth area, in any part of the Perth area or in the whole State is in force.

”

5. Regulation 12 amended

Regulation 12 is amended as follows:

- (a) after subregulation (2)(a) by deleting “and”;
- (b) by deleting paragraph (b) and by inserting the following paragraphs instead —

“

- (b) that the petrol does not contain more than 1.3 mg of phosphorus per litre, unless the AVSR additive has increased the level of phosphorus in the petrol; and

- (c) if the AVSR additive —
- (i) has increased the level of phosphorus in the petrol, that the petrol contains at least 6 mg and not more than 36 mg of phosphorus per litre; or
 - (ii) has added potassium to the petrol, that the petrol contains at least 6 mg and not more than 15 mg of potassium per litre.

”.

6. Regulation 17 amended

Regulation 17(1) is repealed and the following subregulations are inserted instead —

“

- (1) A person who supplies fuel to another person must, if the other person is —
 - (a) a fuel distributor; or
 - (b) a person who supplies fuel to a fuel distributor,
 give that other person a written warranty that the fuel has been supplied in accordance with these regulations.
- (2) A person who supplies fuel is not required to give such a warranty in respect of regulation 9 or 10(2) if, by reason of regulation 3B, the person was not required to comply with those regulations when supplying the fuel.

”.

7. Regulation 19 amended

Regulation 19 is amended by deleting

“ ASTM D323-94
 ASTM D5190-96
 ASTM D5191-96 ”

and inserting instead —

“

ASTM D323-99
 ASTM D5190-96
 ASTM D5191-99

”.

8. Schedule 3 amended

- (1) Schedule 3, in the column headed “Tests”, is amended as follows:

- (a) in the row relating to “Benzene” —
 - (i) by deleting “ASTM D3606-96” and inserting instead —
 “ ASTM D3606-99 ”; and

- (ii) under “ASTM D5845-95” by inserting —
 “ ASTM D5580-95 ”;
- (b) in the relating to “Lead” —
- (i) by deleting “ASTM D3341-91” and inserting
 instead —
 “ ASTM D3341-95 ”;
- (ii) by deleting “IP 352/84-96” and inserting
 instead —

“

IP 352/84-2000

IP 224/68-96

”;

- (c) in the row relating to “Olefins” by deleting
 “ASTM D5443-93” and inserting instead —

“

ASTM D5443-98

ASTM D6293-98

”;

- (d) in the row relating to “Phosphorus” by deleting
 “ASTM D3231-94” and inserting instead —

“ ASTM D3231-99 ”;

- (e) in the row relating to “Sulphur” by deleting
 “ASTM D4045-96” and inserting instead —

“

ASTM D3120-96

ASTM D4045-99

ASTM D4294-98

”.

- (2) Schedule 3 is amended after the row relating to “Phosphorus”
 by inserting the following row —

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Potassium	ASTM D5185-97 IP 456/2000
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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.