

NEW SOUTH WALES

DRAFT NON-GOVERNMENT BILL

To be introduced by: Ms Cate Faehrmann, MLC

**Protection of the Environment Operations
Amendment (Clean Air) Bill 2018**

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No , 2018

A Bill for

An Act to amend the *Protection of the Environment Operations Act 1997* to provide for the standards of concentration for emissions of certain air impurities that are not to be exceeded in respect of coal-fired power stations.

Protection of the Environment Operations Amendment (Clean Air) Bill 2018 [NSW]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Protection of the Environment Operations Amendment (Clean Air) Act 2018*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Protection of the Environment Operations Act 1997 No 156

[1] Section 128 Standards of air impurities not to be exceeded

Insert after section 128 (1):

- (1AA) Without limiting subsection (1), the occupier of a coal-fired power station must not carry on any activity, or operate any plant, in or on the power station in such a manner as to cause or permit the emission of the air impurities specified in Column 1 of the table to this subsection in excess of the standard of concentration specified opposite the relevant air impurity in Column 2.

Air impurity	Standard of concentration
Nitrogen dioxide (NO ₂) or Nitric oxide (NO) or both, as NO ₂ equivalent	200 mg/m ³
Sulfur dioxide (SO ₂)	200 mg/m ³
Atmospheric particles that have a diameter of less than 2.5 micrometers (PM _{2.5} particles)	20 mg/m ³
Mercury (Hg)	1.5 µg/m ³ .

- (1AB) The standards of concentration prescribed in subsection (1AA) apply despite any standards of concentration prescribed by the regulations.

[2] Section 128 (1A)

Omit “Subsection (1) applies”. Insert instead “Subsections (1) and (1AA) apply”.

[3] Section 128 (2) (a)

Insert “or by subsection (1AA)” after “subsection (1)”.