

[s 1]

1 Short title

This regulation may be cited as the *Environmental Protection Amendment Regulation (No. 3) 2011*.

2 Regulation amended

This regulation amends the *Environmental Protection Regulation 2008*.

3 Insertion of new ch 5, pt 8

Chapter 5—

insert—

‘Part 8 Statutory condition for environmental authority (chapter 5A activities)’

‘81B Prescribed maximum amount for chemicals—Act, s 312W

- ‘(1) For section 312W(2)(a) of the Act, definition *restricted stimulation fluids*, the prescribed maximum amounts are as follows—
- (a) for benzene—1 part in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;
 - (b) for ethylbenzene—80 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;
 - (c) for toluene—180 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;
 - (d) for m-xylene—75 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;

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- (e) for o-xylene—350 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid;
 - (f) for p-xylene—200 parts in a billion in any chemical additive, or combination of chemical additives, included in the restricted stimulation fluid.
- ‘(2) For section 312W(2)(b) of the Act, definition *restricted stimulation fluids*, the prescribed maximum amount of a chemical is the amount of the chemical that produces or would be likely to produce, whether on its own or in combination with another chemical, more than any of the following as it breaks down in the environment—
- (a) 1 part in a billion of benzene;
 - (b) 80 parts in a billion of ethylbenzene;
 - (c) 180 parts in a billion of toluene;
 - (d) 75 parts in a billion of m-xylene;
 - (e) 350 parts in a billion of o-xylene;
 - (f) 200 parts in a billion of p-xylene.
- ‘(3) To remove any doubt, it is declared that the amount of a chemical mentioned in subsection (1) or (2) is not measured in relation to water included in the restricted stimulation fluid.’

ENDNOTES

- 1 Made by the Governor in Council on 28 July 2011.
- 2 Notified in the gazette on 29 July 2011.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Environment and Resource Management.