



**NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000*
CONCERNING A DECISION UNDER SECTION 13 OF THAT ACT FOR AN
APPROVAL FOR A VARIATION OF THE FUEL STANDARD (PETROL)
DETERMINATION 2001**

I, Andrew McNee, Assistant Secretary, Environment Protection Branch, Delegate for the Minister for Sustainability, Environment, Water, Population and Communities provide the following information concerning my decision to grant an approval under section 13 of the *Fuel Quality Standards Act 2000* (the Act).

Name of approval holder

BP Australia Pty Ltd (the approval holder).

Period of operation

The period of operation of the approval is from the date of the approval until 31 December 2013.

Details of the approval

This approval varies the fuel standard for petrol set out in the Fuel Standard (Petrol) Determination 2001 (the Petrol Determination) so that leaded racing fuel (avgas) containing lead up to 0.85 grams per litre will be taken to comply with the parameters specified in the Petrol Determination.

The approval is subject to conditions set out in Annexure 2 to the approval instrument and in section 17 of the Act.

Background

Section 15 of the Act provides that I must have regard to the following when deciding whether or not to grant an approval:

- (a) the protection of the environment
- (b) the protection of occupational and public health and safety
- (c) the interests of consumers, and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

Section 24A of the Act provides that I must consult, and have regard to the recommendations of, the Fuel Standards Consultative Committee (the Committee) before granting an approval under section 13. Before signing the instrument granting the approval, the Committee had been consulted and I have had regard to the recommendations it made in December 2012.

Findings on material questions of fact

(a) The protection of the environment

The fuel subject to this recommendation is supplied and used in small quantities for motor sport activities. In this context, higher levels of lead are not expected to impact significantly on ambient air quality.

The fuel is expensive compared with normal fuels and the price provides a strong disincentive for any waste, misuse or spillage.

It is therefore not expected that permitting the supply of the fuels covered by this approval for motor sport activities will have an adverse effect on the environment.

(b) The protection of occupational and public health and safety

Exposure to certain substances in petrol can be toxic. The risks associated with exposure to racing fuels may be higher than for petrol because of the additional substances contained in them. A variety of negative health effects can occur, depending upon the substance, the level and duration of exposure. At venues that use racing fuels, exposure may extend to drivers, team members, race officials, spectators and the immediate environment.

In the particular case of leaded racing fuels, exposure to even small amounts of lead and lead compounds may have health effects when ingested or inhaled.

Leaded racing fuel (avgas) is supplied in sealed containers of up to 200 litres capacity (except for use in pre-1986 built racing vehicles which may be dispensed from a bowser) and are used in small quantities, primarily in off-road activities, and in widely dispersed locations. Safe handling information will be provided with the fuel. The volume of fuel to be supplied under an approval is limited and will be used by a small number of competitors. Consequently, under these conditions occupational and public health and safety risks will be minimised.

(c) The interests of consumers

Leaded racing fuels (avgas) meet the needs of a niche market for specific classes of motor racing. The consumers using these fuels seek the performance and operability characteristics provided by these fuels. Without them, motor sport competitors may not be able to operate their vehicles effectively.

(d) The impact on economic and regional development

Many racing venues are located outside major population areas. Motor or water sport events provide an ongoing financial benefit to these regional communities. A decision not to allow the continued and controlled supply of leaded racing fuels (avgas) may have an adverse impact on national motor sport competitions and the economic benefits that flow from them.

Summary of reasons for the approval

1. Leaded racing fuels (avgas) are used in small quantities in motor or water sport activities. They are supplied to regulated users in small quantities. The fuel is expensive compared with normal fuels available to the public and the price provides a strong disincentive for any waste, misuse or spillage.
2. The small quantities of fuel supplied, the storage of fuel in sealed containers and the adoption of safe handling procedures means the use of the fuel is not expected to present a significant occupational and public health and safety risk.
3. Motor or water sport events provide an ongoing financial benefit to regional communities and it is not expected that use of small volumes of fuels which are the subject of this approval will have a significant effect on the environment.

4. This approval would be consistent with previous decisions approving supply of leaded racing fuels (avgas) by retailers supplying these fuels to motor or water sport competitors.

Andrew McNee.....

Delegate of the Minister for Sustainability, Environment, Water, Population and Communities

20 December 2012