



HEAD OF DIVISION, GAS AND LIQUID FUELS DIVISION

DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER

NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000* FOR VARIATION OF THE FUEL QUALITY STANDARDS (AUTOMOTIVE DIESEL) DETERMINATION 2019 – VIVA ENERGY AUSTRALIA PTY LTD (EXPIRY 31 DECEMBER 2024)

I, Michelle Croker, Head of Division, Gas and Liquid Fuels Division, delegate of the Minister for Climate Change and Energy, provide the following information concerning my decision to vary an existing approval under section 13 of the *Fuel Quality Standards Act 2000* (the Act).

Name of approval holder

Viva Energy Australia Pty Ltd (ABN 46 004 610 459)

Details of the approval

The existing approval to Viva Energy Australia Pty Ltd was granted to vary the *Fuel Quality Standards (Automotive Diesel) Determination 2019* (the Diesel Determination) to permit the supply of diesel-biodiesel blended (B20) fuels specified in the original grant of approval.

Pursuant to paragraphs 13A(1) and (2) of the Act, the listed approval came into force on the date specified in the approval, and remains in force for the period specified in the approval (being until 31 December 2022).

Details of the variation

Pursuant to paragraph 17D(1) of the Act, the period of effect of the listed approval has been varied in respect of the supply of diesel until 31 December 2024. The maximum density under the Diesel Determination is also varied to 860 kg/m³.

The approval comes into force at the immediate conclusion of the previously granted approval, being from 1 January 2023 until 31 December 2024, or until a B20 diesel biodiesel standard has been made, whichever occurs first.

The conditions of the approval have also been updated to reduce duplicative reporting conditions.

Summary of reasons for the approval

Having consulted with the Fuel Standards Consultative Committee as required by section 24A of the Act, I grant the approval as provided for in section 15 of the Act for the following reasons:

a) *The protection of the environment*

Tailpipe emissions from diesel-biodiesel blend use, compared to diesel, will have both positive and negative impacts on air quality as the level of biodiesel in the blend increases. In general, emissions

of oxides of nitrogen increase, but particulate matter, hydrocarbons and carbon monoxide emissions all decrease.

b) The protection of occupational and public health and safety

Diesel with up to 20 per cent biodiesel content has been shown to be similar to mineral diesel. Its impact on occupational health and safety should be no greater than diesel already supplied to the market.

c) The interests of consumers

As required under the conditions of the original approval, fuel suppliers supplying diesel biodiesel blends can only supply that fuel under contract to commercial users and not at forecourts.

In addition, fuel dispensers must also be clearly labelled to advise consumers that the diesel contains biodiesel to address any potential warranty issues.

d) The impact on economic and regional development

Biodiesel blends are already being supplied to the market and the approvals are required to allow suppliers to continue supplying blends to existing and potential customers.

As the level of biodiesel allowed in diesel has been capped at five per cent, the industry cannot legally supply blends higher than five per cent. Granting this variation provides blends greater than five per cent to be supplied, which will support the growth of the Australian biodiesel industry.

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Michelle Croker
Head of Division, Gas and Liquid Fuels Division
19 December 2022