**Submission form: Consultation on the Sustainable Biofuels Obligation**

The Ministry of Business, Innovation and Employment (MBIE) and the Ministry of Transport (MoT) would like your feedback on the proposals for regulation to enact the Sustainable Biofuels Obligation. Please provide your feedback by **5pm, 1 July 2022.**

When completing this submission form, please provide comments and supporting explanations for your reasoning where relevant. Your feedback provides valuable information and informs decisions about the proposals.

We appreciate your time and effort taken to respond to this consultation.

**Instructions**

**To make a submission you will need to:**

1. Fill out your name, email address, phone number and organisation. If you are representing an organisation, please provide a brief description of your organisation and its aims, and ensure you have the authority to represent its views.
2. Fill out your responses to the discussion document questions. You can answer any or all of these questions in the [**discussion document**](https://www.mbie.govt.nz/dmsdocument/15020-increasing-the-use-of-biofuels-in-transport-consultation-paper-on-the-sustainable-biofuels-mandate-pdf). Where possible, please provide us with evidence to support your views. Examples can include references to independent research or facts and figures.
3. If your submission has any confidential information:
4. Please state this in the email accompanying your submission, and set out clearly which parts you consider should be withheld and the grounds under the Official Information Act 1982 (Official Information Act) that you believe apply. MBIE and MoT will take such declarations into account and will consult with submitters when responding to requests under the Official Information Act.
5. Indicate this on the front of your submission (e.g. the first page header may state “In Confidence”). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).
6. Note that submissions are subject to the Official Information Act and may, therefore, be released in part or full. The Privacy Act 1993 also applies.
7. Submit your feedback:
8. As a Microsoft Word document by email to[**energymarkets@mbie.govt.nz**](mailto:energymarkets@mbie.govt.nz)with the subject line:*Consultation: Sustainable Biofuels Obligation*
9. By mailing your submission to:

Consultation: Sustainable Biofuels Obligation  
Energy Markets Policy   
Building, Resources and Markets  
Ministry of Business, Innovation and Employment  
PO Box 1473, Wellington 6140  
New Zealand

**Submitter information**

MBIE and MoT would appreciate if you would provide some information about yourself. If you choose to provide information in the section below, it will be used to help MBIE and MoT understand how different sectors view the Sustainable Biofuels Mandate proposal. Any information you provide will be stored securely.

**Your name, email address, phone number and organisation**

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| --- | --- |
| Name: |  |

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| Email address: |  |

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| Phone number: |  |

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| Organisation: |  |

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|  | The Privacy Act 1993 applies to submissions. Please tick the box if you do **not** wish your name or other personal information to be included in any information about submissions that MBIE and MoT may publish. |
|  | MBIE and MoT may upload submissions and potentially a summary of submissions to the website(s), [**www.mbie.govt.nz**](http://www.mbie.govt.nz) and/or [**www.transport.govt.nz**](http://www.transport.govt.nz). If you do **not** want your submission or a summary of your submission to be placed on either of these websites, please tick the box and type an explanation below: |

|  |
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| I do not want my submission placed on MBIE’s website and/or MoT’s website because… [insert reasoning here] |

**Please check if your submission contains confidential information**

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|  | I would like my submission (or identifiable parts of my submission) to be kept confidential, and **have stated** my reasons and ground under section 9 of the Official Information Act that I believe apply, for consideration by MBIE and MoT. |

**Claculating the Obligation**

***Determining intensity of fossil fuels***

1. Do you agree with the proposal to allow the use of default values from the similar to the European Union’s Renewable Energy Directive or actual values verified under sustainability schemes?

Yes  Yes, with changes  No Not sure/No preference

Please explain your views.

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| --- |
| [insert response here] |

1. Apart from transport and distribution emisssions, should we allow actual values that have been verified under the European Union’s Renewable Energy Directive or the Califonia Low Carbon Fuels Standard to be used? If not, why?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Please explain your views.

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| --- |
| [insert response here] |

1. Do you see value in developing a New Zealand-specific and inhouse GHG emissions model, similar to the GREET model? If not, who should pay for the model’s development and upgrading? If not, why?

Yes, I do  I do in part  No, I don’t see value  Not sure/no preference

Please explain your views.

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| --- |
| [insert response here] |

1. Do you agree with the proposal to use a defualt emissions factor that would apply to all fossl fuels? If not, why?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

1. Should we only allow biofuels that deliver a greater than 50 per cent emissions reduction, compared to fossil fuels, to be eligible for meeting the Obligation? If not, why?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

**Sustainability Crietira**

1. Do you agree with the way that we propose to assess compliance with the sustainablity criteria in legislation?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here |

1. Are there any international sustainability certification schemes that you think should be included?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

***Indirect Land Use Change***

1. Do you agree with our assessment that indirect land use change emissions should not be included in the lifecycle GHG emissions analysis, due to the inherent uncertainty in the economic modelling that would be required to do this?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| [insert response here] |

1. What is your preferred option, or combination of options, for addressing the risk of indirect land use change caused by additional biofuels production?

**Option 1**: Set a cap on the maximum amount of food and feed-based biofuels, and ban feedstocks that have historically resulted in significant indirect land use change emissions

**Option 2**: Require all biofuels to have certification showing they are considered at “low risk” of causing indirect land use change.

Is there anything you would like to tell us about the reason(s) for your choice?

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| [insert response here] |

1. Do you think these options will adequately address the risk of indirect land use change? If not, why and what alternatives would you suggest?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

***Biofuels and Food Security***

1. What is your preferred option, or combination of options, for addressing the risk of the biofuels obligation adversely impacting food security and why?

**Option 1**: Require all biofuels produced from food-based feedstocks to be certified against the Food Security Standard or an equivalent standard

**Option 2:** Rely on the options outlined to address indirect land use change (ILUC) to mitigate any indirect impacts on food security (discussed in section 3.3

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

***Use of waste and Classification of feedstocks***

1. Do you agree with our proposed approach to require biofuels derived from any of the waste streams to be certified against the relevant ISCC EU standard or RSB standard? If not, why?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

1. Do you agree with our proposed approach for allocating GHG emissions to products, co-products, residues and wastes according to Table 1, based on energy content? If not, why?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

1. Do you agree that feedstocks that are classified as agriculture, aquaculture, fisheries or forestry residues or co-products would need to meet the sustainability criteria? If not, why?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

1. Do you agree with our proposal to excluse or limit residues or co-products that may be excluded or limited under the oter criteria (such as the ILUC options)? If not, why?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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| --- |
| [insert response here] |

**Other considerations for the implementaion of the Obligation**

***Interactions with the Fuel Industry Act and other regulations***

1. Do you agree with the risks outlined above? If you do, do you agree with the proposed approach?

Yes, I agree  I agree in part  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

|  |
| --- |
| [insert response here] |