



18 April 2013

Dear Mr Johnson

C/- (email address)

Official Information Act 1982 request – Number and type of emission units surrendered by certain participants in the New Zealand Emission Trading Scheme.

I am writing in response to your Official Information Act 1982 (OIA) request dated 28 March 2013 regarding the number and types of emission units surrendered to the New Zealand Emission Trading Scheme for the six month compliance period ending 31 December 2010 and for calendar year 2011 for the following companies:

Methanex New Zealand Limited
Ballance Agri-Nutrients Limited
Pan Pac Forest Products Limited
Winstone Pulp International Limited
Whakatane Mill Limited
Fletcher Concrete and Infrastructure Limited
New Zealand Steel Limited
New Zealand Aluminium Smelters Limited
Holcim (New Zealand) Limited
Carter Holt Harvey Pulp & Paper Limited
McDonalds Lime Limited

The information you have requested is subject to an obligation of confidentiality imposed on the Environmental Protection Authority (EPA) by section 99 of the Climate Change Response Act 2002 (CCRA). Section 52(3)(b) of the OIA provides that the EPA's obligation of confidence is not overruled by any provision within the OIA.

As such, the EPA is unable to release the information that you have requested unless one of the exceptions specified in section 99(2)(b) of the CCRA applies. One such exception is where the EPA has the consent of the person to whom the information relates, or of the person to whom the information is confidential, to release that information.

Consequently, the EPA sought consent from the companies that you listed above. Pan Pac Forest Products Limited was the only company who gave their consent to the EPA. Therefore, the EPA is

able to disclose that Pan Pac Forest Products Limited did not surrender any emission units during the 2010 and 2011 compliance periods. The remainder of the information relevant to your request is withheld pursuant to section 99 of the CCRA.

You have the right, by way of complaint to the Ombudsman under section 28(3) of the OIA, to seek an investigation and review of this refusal.

Yours sincerely

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Rob Forlong

Chief Executive