



Fee and reporting requirements for the operator of a biogas or biomethane operating plant

Overview

Section 155(2)(q) of the Petroleum and Gas (Safety) Regulation 2018 (P&G Regulation) makes liable the operator of a facility that **produces or processes** biogas or biomethane (biogas/biomethane operators). This is Category 14 of the petroleum and gas safety and health fee (the fee). This information is collected by Resources Safety and Health Queensland on the Petroleum and Gas Safety and Health Fee Return Form.

What information do I need to report on the Return Form?

Section 158 of the P&G Regulation require biogas/biomethane operators to report the number of sites and the actual usage OR nameplate capacity for each site, operated by the operator with a facility that produces or processes biogas or biomethane.

Notes:

- The intention of reporting the actual usage or nameplate capacity of devices is to get an estimation of the biogas produced or processed as this is the basis for the fee.
- An operator that produces biogas and sells to another customer as a fuel gas is still liable for the fee.
- There is no fee for passive venting.

Under section 157 of the P&G Regulation biogas/biomethane **operators must lodge a petroleum and gas safety and health fee return for each financial year by 31 July.**

What is a biogas/biomethane operator?

The 'operator' is the individual or corporation responsible for the management and safe operation of the biogas plant.

Section 670(5)(d) in the *Petroleum and Gas (Production and Safety) Act 2004* (P&G Act) and section 11(2)(c) in the P&G Regulation, establish as operating plant the collection, transportation or use of a gas prescribed under the *Petroleum and Gas (General Provisions) Regulation 2017*, section 5(1) as petroleum. Example – the collection of gas from landfill and its use in power generation.

When do you need to pay the fee as biogas/biomethane operators?

You will be required to pay the fee for the actual usage OR nameplate capacity for each site, with a facility that produces or processes biogas or biomethane, in the reporting period. The category 14 fee is broken up into three payment tiers based on nameplate capacity or output of gas devices.

The tiers are:

1. less than 0.18 GJ/hr (50kW)
2. 0.18 GJ/hr (50kW) and not more than 7.2 GJ/hr (2MW)
3. more than 7.2 GJ/hr (2MW) and less than 50 GJ/hr (5MW)

Click on the following link to view the [Petroleum and gas safety and health fees](#).

The fee is an annual invoice and will be issued to you on or before 10 November after the end of the financial year. Payment terms are detailed on the invoice. Interest and late penalties apply for late payment of invoices.

What is the reporting period?

The reporting periods are broken up into financial years (1 July to 30 June). If you are a biogas or biomethane operator at any time during the financial year, you are liable to pay the fee.

What operating plants are liable to report but exempt from fees?

- Waste disposal tip facilities where all gas, produced or processed, is passively vented.
- Operating plants where the operator has received a positive advance finding for an activity at the site.
- Coal mining CSG- operating plants where the petroleum lease overlaps the same area as a mining lease.

Why is the fee is charged?

The annual fee payable by biogas/biomethane operators helps fund the activities of the Petroleum & Gas Inspectorate, Resources Safety and Health Queensland in regulating and promoting safety for businesses and the community.

For information on how to calculate the actual gas usage, please see the [Guideline for operating plant -Biogas](#).

More information

For more information regarding the fee and reporting requirements please email the Safety and Health Fee Unit via safetyandhealthfee@rshq.qld.gov.au.

Phone: 07 3199 8014 or 07 3199 8019

Office Hours: 8:30am – 4:30pm

Guidelines for biogas operators can also be found on the Business Queensland website via [Guidance information for operating plant | Business Queensland](#).

To make a technical enquiry, or to register your interest to receive regular safety updates, please contact the Petroleum and Gas Inspectorate via gassafety@rshq.qld.gov.au.

Phone: 13 QGOV (13 74 68)

Web: www.business.qld.gov.au