

Regulation on the banning of the use of mineral oil for heating of buildings from 2020.

§ 1. Purpose of the Regulation

The purpose of this regulation is to reduce emissions of greenhouse gases from heating of buildings, while securing the energy supply.

§ 2. Scope of application

The regulation applies to the use of mineral oil for heating of buildings.

Exempted by the provisions of this regulation is the use of mineral oil in district heating from 1MW installed thermal input.

Exempted by the provision of this regulation is small cabins/holiday homes and lighthouses without access to the power grid.

Exempted by the provision of this regulation is the use of mineral oil for heating of buildings if the main purpose of the combustion plant is to produce and/or process materials, substances or products. This does not apply to buildings related to agriculture.

§ 3. Definitions

For the purpose of this Regulation, the following definitions apply:

- a) *Mineral oil*: light or heavy fuel oil, heating kerosene and other fuels of mineral origin that is liquid at standard conditions for temperature and pressure.
- b) *Heating*: heating of rooms, ventilation air and tap water.
- c) *Building*: construction with ceilings, walls and technical installations that are connected to the ground. Temporary buildings are also considered as buildings.
- d) *District heating*: term for technical instrument and additional buildings structures for production, transmission and distribution of hot water or other heating medium to external users, cf. Energy Act § 1-3 second section.

§ 4. Ban on the use of mineral oil for heating

The use of mineral oil for heating of buildings is prohibited, unless The Norwegian Water Resources and Energy Directorate has issued a decision in accordance with § 6. This also applies for district heating plants with less than 1 MW installed thermal input, if the heating plant supplies heat for heating of buildings.

§ 5. Obligation to notify the network company

Network companies that have an obligation to connect or deliver to the network, in accordance with the Energy Act chapter 3, shall without undue delay, notify The Norwegian Water Resources and Energy Directorate if the phasing out of mineral oil for heating is assumed to influence the security of supply in the power grid, and where measures to improve the security of supply is not possible to conduct before the ban enters into force. A copy of the notice must be sent to municipalities that are affected by the notification.

§ 6. Exemption when necessary to secure the energy supply

The Norwegian Water Resources and Energy Directorate may by regulation or decision decide that the ban in § 4 should not apply in a limited geographic area and within a limited period of time, if it is necessary to secure the energy supply in the power grid. Such decisions shall be made before 1st of January 2020. Decisions can be made after this if special conditions require.

When a decision is made The Norwegian Water Resources and Energy Directorate shall notify municipalities that are affected by the exemption.

§ 7. Exemption in the event of interruptions in the power grid

The ban in § 4 does not preclude the use of mineral oil related to interruptions in the power grid until normal conditions in the power grid are recovered.

Interruptions in the power grid are release, forced or unintended disconnection, or failed connection because of a defect in the power grid, as understood in domestic regulation of 30 November 2004 No. 1557.

If other heating sources in the building or district heating plant cannot be used because of defect or damage, the ban in § 4 does not preclude the use of mineral oil for heating. When the defect or damage is repaired, the use of mineral oil for heating shall cease immediately.

§ 8. Responsibility for owner and user of the heating plant

The owner and user of the heating plant is responsible for ensuring compliance with the provisions in this regulation.

§ 9. Inspections

The Norwegian Water Resources and Energy Directorate is responsible for ensuring compliance with § 5, 7 first and second section and decisions in accordance to § 6.

The municipality, or whoever authorised by the Ministry of Climate and Environment, is responsible for ensuring compliance with remaining provisions in this regulation.

§ 10. Obligation for anyone who sells mineral oil to end-user to give information

The municipalities may, in accordance with the Pollution Control Act § 49, oblige anyone who sells mineral oil to end-user to give information regarding clients and sales volumes. This also applies to The Norwegian Water Resources and Energy Directorate, cf. the Energy Act § 10-1 third section.

§ 11. Fees

The municipality may issue regulations relating to fees for control measures to ensure compliance with the provisions in this regulation. The amount of the fees shall cover the total fees do not exceed the costs incurred by the municipality.

Payment of such fees is enforceable by execution.

§ 12. Exemptions

The municipalities can in extraordinary cases make individual exemptions from the ban in § 4.

§ 13. Appeal

Appeals against decisions made by the municipalities may be submitted to the County Governor.

Appeals against decisions made by The Norwegian Water Resources and Energy Directorate may be submitted to the Ministry of Petroleum and Energy.

II

This regulation enter into force immediately, except § 4 which enters into force on January 1st 2020.