

HSNO UPDATE

NZISM, Tauranga

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Purpose

- /// Let's find out what we have to do.
- /// Let's identify some of your concerns.
- /// Let's provide you with some answers.

HSNO Act 1996

- /// **Responsibility** - Ministry for the Environment
- /// **Purpose** – to protect the environment and the health and safety of people and communities by preventing or managing the adverse effects of hazardous substances and new organisms.
- /// **‘Cradle to grave’ approach** – setting controls on how substances are classified, contained, labeled, stored, used, transported or disposed of.
- /// **Global Harmonisation.**

Replaces

- the Explosives Act 1957
- the Dangerous Goods Act 1974
- the Toxic Substances Act 1979
- the Pesticides Act 1979 (with minor exceptions)
- parts of the Animal and Plants Acts (1967 and 1970) that covered the intentional introduction of new species into New Zealand

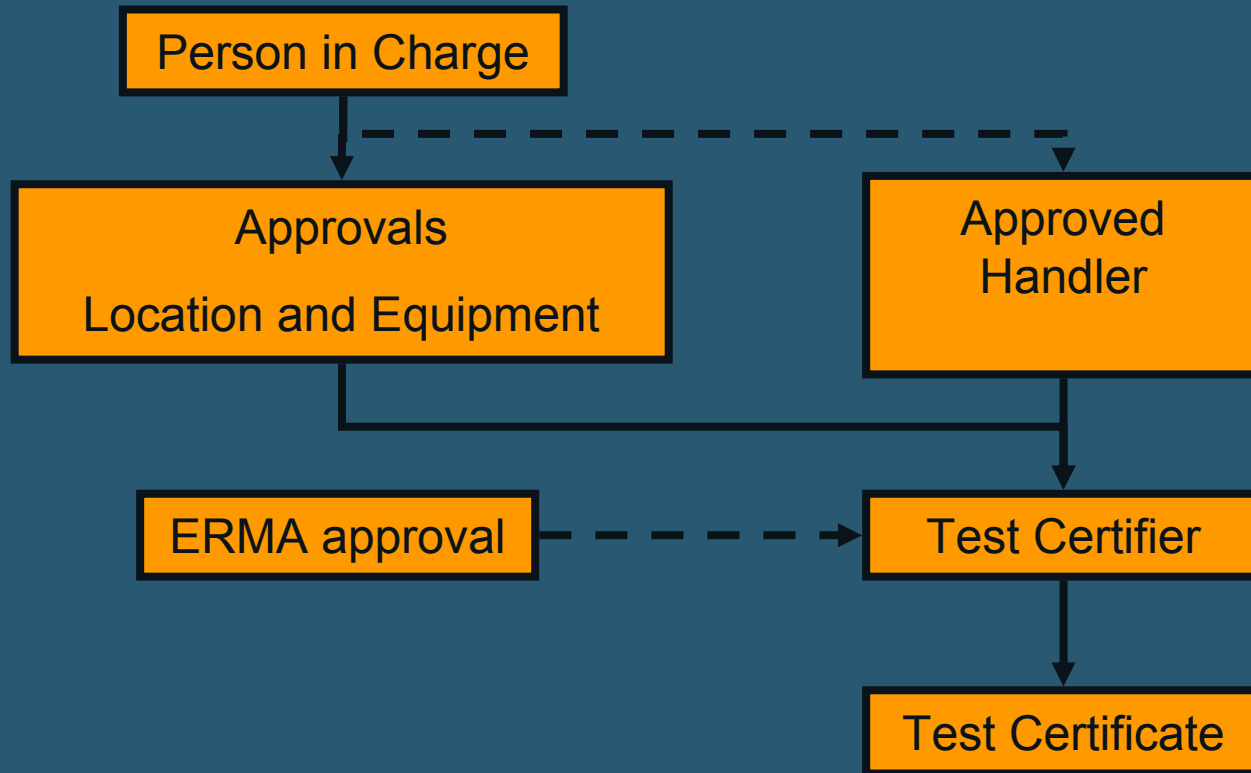
The Authority

- /// The “Authority” make formal decisions on the substance controls but may vary the controls.
- /// ERMA New Zealand (the “Agency”)
 - Provides scientific and technical advice to the Authority
 - Administers the Act and Regulations

What's different with HSNO?

- /// **Classification**
- /// **Thresholds**
- /// **Person in Charge**
- /// **Test Certificates**
- /// **Tracking**
- /// **Containment**

How it works in the future



Transfer dates

- /// Explosives, DG, STS, and most pesticides are transferred

- /// VPCs, Fumigants – 1 November 2004

- /// Veterinary Medicines – 1 July 2005

- /// NOTS
 - Screening completed June 2005
 - Transfer by July 2006

Implementing DG Compliance

DG Transfer

- /// **Dangerous Goods were transferred on 1 April 2004**
- /// **The HSNO controls come into effect on 1 October 2004**
- /// **Poisons licence replaced by Approved Handler certificates**

What do we have to do?

- /// **Location Test Certificates**
 - **“Dangerous Goods Licence”**

- /// **Approved Handlers**
 - **Substance**
 - **Equipment**
 - **Legislation**

- /// **Stationary Container Systems (Tanks)**

- /// **Secondary Containment (Bunds)**

Location Test Certificates

/// What does the Test Certifier need to check?

- Administration
- Sources of Ignition
- Segregation
- Personal Protective Equipment – limited
- Spills and failure
- Identification and Signage
- Emergency Management

Location Certificates (LCs)

- /// Letter sent to all current DG licence holders
- /// Requirement for LCs starts at the end of October (for As) through to June 2006 (Zs)
- /// All tracked and high risk sites need LCs by 1 January 2005
- /// Provision for implementation plans (not for tracked substances)

Monitoring

- /// ERMA NZ will monitor that LCs are issued to replace DG licences
- /// Database of DG licences will be checked against test certificate database to monitor progress
- /// Key issues to watch
 - Issue of certificates
 - Test certifier workloads

Follow Up

/// If we cannot match a DG Licence with a LC

- Tracked and high risk - ERMA NZ will advise enforcement agency
- Others will receive a follow up letter

/// Need test certifier feedback on

- non compliant locations
- Workloads i.e. unactioned requests

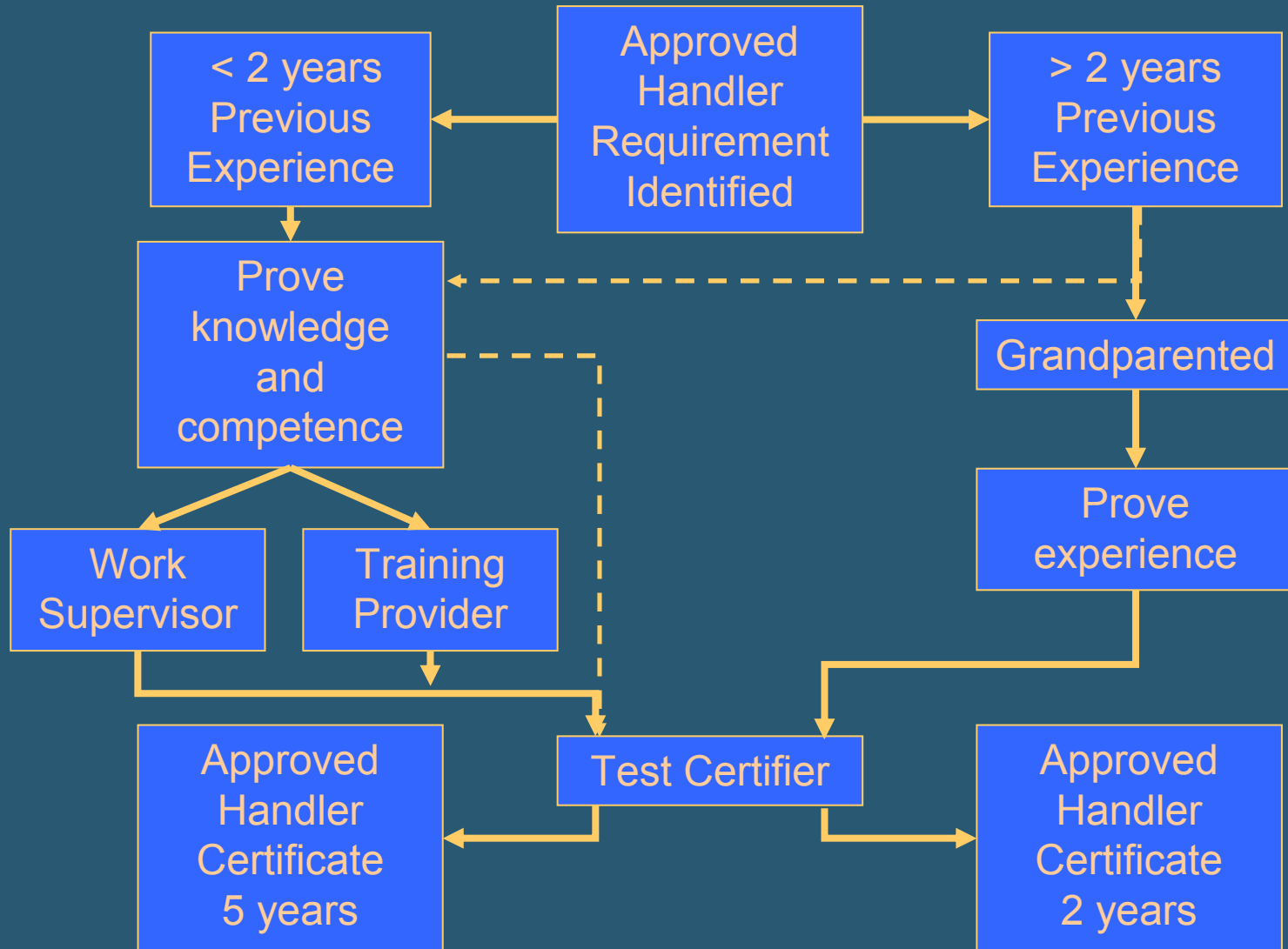
Test certificate duration

- /// **Currently one year**
- /// **Regulations allow extension to three years**
- /// **ERMA NZ will encourage extensions upon application, for acceptable situations**
- /// **Criteria for extensions, and application form being developed**

Transitional Approved Handlers

- /// ERMA NZ will provide an (application) form that can be presented to a test certifier
- /// Will allow persons to self assess competency
- /// Test certifiers will still need to provide a transitional certificate
- /// Form available during October
- /// No transitional certificate lasts past 31/12/2006

Approved Handler Process



Stationary Container Systems

Existing

- Test Certifier to examine within 2 Years
- Compliance plan within following year
- Approval by the Authority
- Times start from 1 April 2004

Secondary Containment

- /// Three years to:
- /// Comply, or
- /// Compliance Plan
 - Authority Approval
- /// Times start from 1 April 2004

**DON'T
PANIC**

Staged Implementation

- /// Industry needs time to learn and implement the new controls
 - Use the present legislation until required to change
- /// Test Certificate issue needs to be spread over the period of their renewal

How will we stage the implementation?

- /// **DG licences carry on until a Test Certificate required**
- /// **Test certificates phased in until the end of the transfer period (June 2006)**
- /// **Tracked substances and high risk locations first**

Tracked Substances and High Risk Sites

Tracking to be in place by 1 Jan 2005

- **Requires (not inclusive)**
 - Approved Handlers
 - Location Test Certificates

Sites holding quantities greater than:

- **1800 lts in bulk containers of Class 2.1.1A,**
- **50,000 lts 3.1B and 3.1C**

to have required certificates by 1 Jan 2005

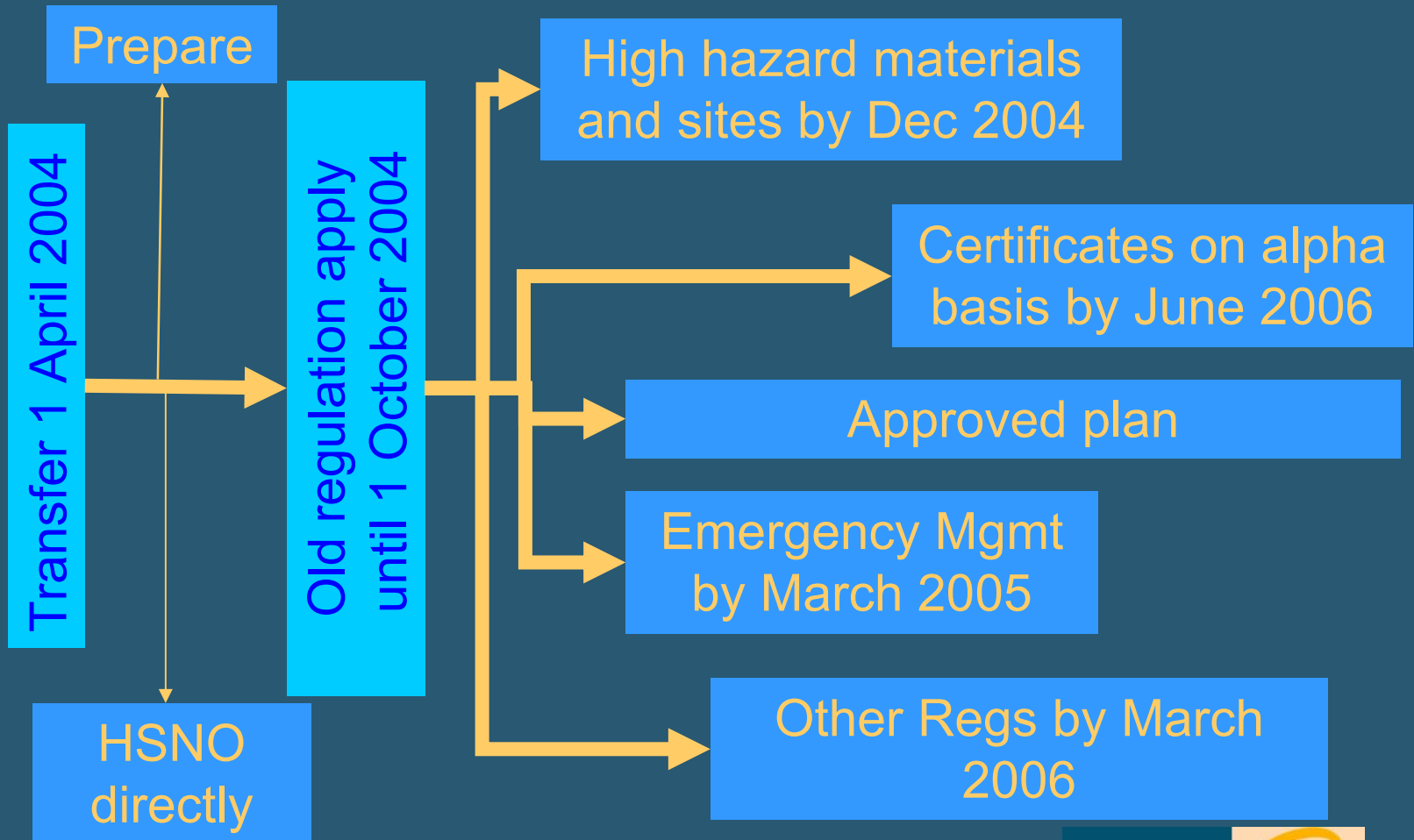
Staged Implementation (2)

- /// Industry can adopt the HSNO rules at any time for non-transferred substances
- /// Implementation plans from industry groups are acceptable
- /// Test Certifiers may approach ERMA New Zealand on behalf of these groups

Staged Implementation (3)

- /// If no implementation plan provided, then test certificates phase in on alphabetical basis specified by ERMA New Zealand
- /// Approved Handler certificates similar approach

Timetable for Transferred Substances (excluding Gases, Tank Wagon Regs & Bulk Containers)



What else?

- /// **Emergency Management: 31 March 2005**
- /// **Information: 31 March 2006**
- /// **Packaging: 31 March 2006**
- /// **But ...**
 - **Must conform with previous legislation**

Information Provision

- /// **Compliance Guides**
- /// **Quick Guides**
- /// **Codes of Practice**

Further information

- /// ERMA New Zealand web site
www.ermanz.govt.nz
- /// ERMA New Zealand publications (from web or hard copies)
- /// By email dginfo@ermanz.govt.nz
- /// By phone **0800 376 234**
- /// By fax **+64 4 914 0433**