

**Whole of Life Audit  
Hazardous Substances (Tracking)**

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## **1 Introduction**

The Hazardous Substances and New Organisms Act 1996 (HSNO) aims to protect people and the environment. To achieve this aim, highly hazardous substances must be managed effectively throughout their lifecycle and this is assisted by applying tracking provisions to the most hazardous substances.

These provisions are detailed in the Hazardous Substances (Tracking) Regulations 2001. Schedule 1 of these regulations details the Hazard classifications of substances requiring tracking and schedule 2 details the information to be included in record(s) of tracked substances(s).

It is important that tracking provisions manage highly hazardous substances effectively. An audit or quality assurance programme will enable ERMA New Zealand to better understand the effectiveness of tracking provisions in meeting the objectives of HSNO and ensuring that highly hazardous substances are managed effectively throughout their lifecycle.

## **2 Scope**

The intent of the audit is two fold. Firstly it is to determine whether highly hazardous substances are being tracked in accordance with relevant HSNO regulations and ERMA New Zealand Guidelines. Secondly it is to enable ERMA to gain an understanding of the processes being used by organisations to comply with tracking requirements. The programme will establish whether:

- the location and movement of tracked substances is being recorded at each stage of their lifecycle as required by the regulations
- imported tracked class 1 substances are only uplifted after the NZ Customs Service has been provided with the prescribed documentation
- the person in charge of a place where a tracked substance is present is keeping the required information, in the required location and presentation, and for the required length of time
- the person in charge of a place where a tracked substance is present is only transferring the substance to another place if it has been confirmed that;
  - the other place has an approved handler holding a test certificate for the substance who is prepared to accept responsibility for the substance and
  - the other place has, if required, a test certificate for the amount and hazard classification of the substance and
  - any place where the substance will be held during transit complies with the specified requirements

## **3 Program Outline**

Hazardous Substances (Tracking) Regulations cover some 18 different hazard classifications (defined in schedule 1 of the regulations). Each hazard classification may contain a sizable number of specific substances.

This audit will examine the tracking of a single material from source (import or manufacture within New Zealand) to its disposal (including disposal by use or by

export). This is effectively a one way whole of life traceability audit of a tracked substance from its import or manufacture to its disposal.

The process will be via site visits to places where the tracked substance has been present during its life (i.e. from its import or manufacture to its disposal). The visits to these places will be made during normal hours of business by an enforcement office. The officer will ask questions of the person in charge of those places regarding the records relating to the tracked substance that is/has been held on, or transferred from, the site. In addition where the tracked substance is held on the site, it will be located, its quantity determined and its identification confirmed.

The questions that will be asked are detailed in the attached appendices. The questions in appendix 1 relate to all places along a Whole of Life chain for a tracked substance. The questions in appendix 2 record the details of specific transfers of a tracked substance to other places. The data recorded in appendix 2 identifies the next link in the Whole of Life chain, and so initiates a Whole of Life tracking audit of that place, and so on until the end of the chain is reached and the tracked substance has been disposed of.

#### **4 Frequency of Audits**

ERMA New Zealand has not yet determined the number of tracked substances that will be audited or the frequency of such audits. This is in part because the number and geographical spread of places that may require visiting for a single tracked substance is currently unknown.

#### **5 Audit Duration**

It is expected that a Whole of Life audit on a place will take much less than a day.

#### **6 Audit Tools and Standards**

The audits will be conducted against the following:

- HSNO Act 1996
- HSNO Regulations:
  - Hazardous Substances (Tracking) Regulations 2001

#### **7 The Audit Process**

##### **7.1 Whole of Life Audit Methodology**

The assessment forms can be found in Appendices 1 and 2 of this document. Appendix 1 relates to all places along a Whole of Life chain for a tracked substance. The questions in appendix 2 record the details of specific transfers of a tracked substance to other places. The data recorded in appendix 2 identifies the next link in the Whole of Life chain, and so initiates an audit of that place, and so on until the end of the chain is reached and the tracked substance has been disposed of

For the assessment itself, the assessor (an enforcement officer) will ask the person in charge of a place the questions detailed in these appendices.

A confidential report will be prepared by ERMA New Zealand, and provided to each person in charge. All the Whole of Life tracking audits will be consolidated into a single report with set recommendations. This report will not identify particular persons in charge etc.

This audit is mostly focused on the records being maintained by a person in charge but also includes the location and a labelling check of any of the tracked substances held on that site. This includes issues such as:

- Is the location and movement of tracked substances being recorded at each stage of their lifecycle as required by the regulations
- Are imported tracked class 1 substances only uplifted after the NZ Customs Service has been provided with the prescribed documentation
- Is the person in charge of a place where a tracked substance is present keeping the required information, in the required location and presentation, and for the required length of time
- Is the person in charge of a place where a tracked substance is present only transferring the substance to another place if it has been confirmed that;
  - the other place has an approved handler holding a test certificate for the substance who is prepared to accept responsibility for the substance and
  - the other place has, if required, a test certificate for the amount and hazard classification of the substance and
  - any place where the substance will be held during transit complies with the specified requirements

## **7.2 Audit Checklists**

The questions focus on the records of tracked substances that are being maintained by persons in charge.

Remember, the intent of this audit is one of **quality assurance** and should be seen as a mechanism to assist both the persons in charge and ERMA New Zealand identify areas persons in charge are doing well in or not so well in, to build on the successes and rectify any errors. Most importantly though, the audit is a tool to ensure that the record keeping for tracked hazardous substances is maintained in accordance with the relevant HSNO legislation.

## Appendix 1 – Audit of Tracked Substances Onsite

This Appendix records the findings made by an enforcement officer when visiting a place as part of a Whole of Life tracked substances audit. These audits will be conducted during normal business hours.

*Note that items 1 through 6 can be completed prior to visiting the site(#)*

*Also note that the tracking regulations do not apply to any substance that is required for the motive power or control of, and is contained within the fuel system, electrical system, or control system of, a vehicle, aircraft, or ship; or to any fuel gas supplied or used in a distribution system, gas installation, or gas appliance that is subject to the Gas Act 1992. Hence a tracking audit cannot be conducted on such substances.*

**Information Details for Audit Reference Number \_\_\_\_\_**

Item	Tracked Substance Information	Audit Notes
1.	Name of substance being tracked	#
2.	Hazard classification of that substance	#
3.	Quantity of tracked substance that requires a test certificate	#
4.	Date of audit visit <i>(Record date)</i>	#
5.	Name of enforcement officer <i>(Record Name of auditor)</i>	#
6.	Location/place being audited <i>(Record this, including the company name)</i>	#
7.	Postal Address <i>(Record if different to above)</i>	
8.	Name of person in charge <i>(Record full name)</i> <i>Please note this may or may not also be the approved handler in charge of the substance in question</i>	
9.	Title of person in charge <i>(Record title, note information only)</i>	

	<i>as this is not required by tracking regulations 2001)</i>	
10.	Contact details for person in charge <i>(Record contact details, include phone number and address if different to above, note information only as this is not required by tracking regulations 2001)</i>	
11.	Is the tracked substance a class 1 material and has been imported by this organisation within the previous 12 months?	Record Yes or No and the name of the supplier if known <i>If yes, go to 12, if no go to 14</i>
12.	Has the importer provided the New Zealand's customs service, before uplifting the substance, written notice of the quantity of the substance to be uplifted, and the date and place of uplifting? <i>(Record details of 1 or more imports)</i>	Record Yes or No.
13.	Has the importer provided the New Zealand's customs service, before uplifting the substance, a certificate, signed by or on behalf of the Authority, that the substance has an approval under section 29 of the Act? <i>(Record details of 1 or more imports)</i>	Record Yes or No.
14.	Has the tracked substance been manufactured on this site within the previous 12 months?	Record Yes or No. <i>If yes, go to 15, if no go to 16. Also if No record where the company obtained this substance from if known.</i>
15.	Are records of the quantity of the tracked substance manufactured maintained? <i>(Note information only as this is not required by tracking regulations 2001)</i>	
16.	Is the tracked substance held or manufactured at this place?	Record Yes or No. <i>If yes, go to 17, if no go to 34</i>

17.	<p>The enforcement officer is to ask the “person in charge” for the records detailing the location of the tracked substance as required by schedule 2 of Hazardous Substances (Tracking) Regulations 2001.</p> <p><i>(Record time in hours, minutes and am / pm designation)</i></p>	<p>Time question asked and name of individual asked (if not the “person in charge”) to be recorded here</p>
18.	<p>Do these records enable an enforcement officer to identify the exact location of the substance within 2 minutes of having obtained the record?</p> <p><i>(Record length of time needed to identify the exact location.)</i></p>	<p>Record Yes or No and length of time also record any ID numbers for containers (e.g. cylinders) of the hazardous substance</p>
19.	<p>Do these records enable an enforcement officer to physically locate the substance or its container at the place described in the record within 1 hour of arriving at the place or within the time specified in any emergency response plan required under the Hazardous Substances (Emergency Management) Regulations 2001, whichever is the shorter?</p> <p><i>(Record the length of time needed to physically locate the substance or its container at the place described in the record)</i></p>	<p>Record length of time specified in the emergency plan (minutes)</p> <p>Actual length of time taken locate container of the substance (minutes)</p> <p>Did location occur within the allowable time Yes or No</p> <p>.</p>
20.	Record the exact location of the tracked substance.	
21.	Record the amount of the tracked substance found.	
22.	<p>Is the tracked substance identified as required by the Hazardous Substances (Identification) Regulations 2001?</p> <p><i>(Note that almost all of the tracked substances classes require labelling for “any quantity” held. Also record any non conformances found).</i></p>	Record Yes or No.
23.	Do the records maintained provide an unequivocal identification of the tracked substance?	Record Yes or No.

	<i>(Also record any non conformances found)</i>	
24.	Is an approved handler required to be in charge of the tracked substance under the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 or the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001?	Record Yes or No. <i>If yes, go to 27, if no go to 32</i>
25.	Do the records enable “the total amount of the tracked substance that the approved handler was in control of at any one time” to be determined?	Record Yes or No.
26.	Does the amount of the tracked substance located match “the total amount of the tracked substance that the approved handler is in control of at any one time” as recorded in the records? <i>(Record total amount that the approved handler is in control of)</i>	Record Yes or No And total amount
27.	Do the records of the tracked substance identify the approved handler who is in control of the tracked substance including: (a) the name of the person? <i>(Record name of person)</i>	Record Yes or No.
28.	(b) the position of the person within his or her organisation? <i>(Record position of person)</i>	Record Yes or No.
29.	(c) the physical address of the place of work of that person? <i>(Record physical address)</i>	Record Yes or No.
30.	(d) the hazard classifications of, and each phase of the lifecycle of, those hazardous substances for which that person has a test certificate as an approved handler, as required by the Hazardous Substances and New Organisms (Personnel Qualifications) Regulations 2001, and the date on which that test certificate lapses or must be renewed?	Record Yes or No.

	<i>(Record hazard classifications etc)</i>	
31.	Is the approved handler current and does their approval cover the quantity and type of tracked substance in question? <i>(Also record any non conformances found)</i>	Record Yes or No.
32.	Given the class of the tracked substance and amount held, does the place require a test certificate by the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 or the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001?	Record Yes or No. <i>If yes, go to 33, if no go to 34</i>
33.	Is a current test certificate for the class of the tracked substance and amount held available? <i>(Record details or take copy of test certificate. Also record any non conformances found)</i>	Record Yes or No.
34.	Is the tracked substance disposed of or used at this place?	Record Yes or No. <i>If yes, go to 35, if no go to 40</i>
35.	Do the records for the tracked substance record: (a) the manner of disposal or use? <i>(Record the manner of disposal)</i>	Record Yes or No.
36.	(b) the date on which the disposal or use occurred? <i>(Record the date(s))</i>	Record Yes or No.
37.	(c) the amount of the substance disposed of or used? <i>(Record the amount(s))</i>	Record Yes or No.
38.	(d) the location of the place where the substance was disposed of or used? <i>Record the location(s)</i>	Record Yes or No or N/A (with reason).
39.	Are the records of tracked substances, which have been disposed of or used, maintained for three years from the date of disposal? <i>(Also record any non conformances)</i>	Record Yes or No.

	<i>found)</i>	
40.	Is the tracked substance transferred to another place?	Record Yes or No. <i>If yes, go to 41, if no go to 47</i>
41.	Prior to transferring a substance, has the person in charge received confirmation that any place where the substance is to be held during transit to the other place complies with (c i) the requirements of the Hazardous Substances (Emergency Management) Regulations 2001; and (c ii) to the extent relevant, the requirements for a transit depot in the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001. <i>(Note no specific record relating to this matter appears in Schedule 2 of the Hazardous Substances (Tracking) Records 2001.)</i>	Record Yes or No.
42.	Prior to transferring a substance, has the person in charge received confirmation that the approved handler at the other place holds a test certificate as an approved handler of the substance? <i>(Also record any non conformances found)</i>	Record Yes or No.
43.	Prior to transferring a substance, has the person in charge received confirmation that the approved handler is prepared to accept responsibility for the substance? <i>(Also record any non conformances found)</i>	Record Yes or No.
44.	Prior to transferring a substance, has the person in charge received confirmation that the other place has a test certificate for the amount and hazard classification of the substance, if so required by the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 or the Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001. <i>(Also record any non conformances found)</i>	Record Yes or No.

45.	<p>Complete an appendix 2 check sheet for 1 or more transfers of the tracked substance.</p> <p><i>(Record the number (and cross reference numbers) of transfers of the tracked substance which have an appendix 2 check sheet completed)</i></p>	Record the number of appendix 2 checklists or that this is N/A
46.	<p>Are the records of tracked substances, which have been transferred, maintained for 12 months from the date of transfer?</p> <p><i>(Also record any non conformances found)</i></p>	Record Yes or No.
47.	<i>Record comments about the record keeping system and any general comments in the spaces below.</i>	
<b>Audit Ends.</b>		

## Appendix 2 - Information Details for a Tracked Substance Transferred from a Place

This Appendix records the tracking details of a shipment of tracked substance recorded by an enforcement officer when visiting a place as part of a Whole of Life tracked substances audit.

Information Details for Audit Number \_\_\_\_\_ (as per appendix 1)

Transfer Cross Reference Number \_\_\_\_\_

Item	Tracked Substance Information	Audit Notes
1.	Name and batch or shipment identification of the substance being tracked <i>(Record all these details)</i>	
2.	Do the records maintained of the transfer to another place in accordance with regulation 6 contain (a) the unequivocal identification and amount of the substance transferred? <i>(Record identification, amount and any non conformances found)</i>	Record Yes or No.
3.	(b) the address of the place, the identity of the approved handler who will be in control of the substance at that place, and the position of that approved handler within his or her organisation? <i>(Record address, approved handler, their position within the organisation and any non conformances found)</i>	Record Yes or No.
4.	(c) the date on which the transfer occurred? <i>(Record date of transfer and any non conformances found)</i>	Record Yes or No.
5.	<i>Record comments about the record keeping system and any general comments in the spaces below.</i>	
<b>Audit Ends.</b>		