

ENVIRONMENTAL RISK MANAGEMENT AUTHORITY  
NGA KAIWHAKATUPATO WHAKARARU TAIAO



## A QUICK GUIDE TO

### ***What do I need to know to be a Test Certifier?***

*This document is confined to Class 2 to 5 and 6, 8 and 9 substances.*

*Explosives, class 1, are dealt with separately.*

ERMA NEW ZEALAND  
20 Customhouse Quay  
P O Box 131  
WELLINGTON

Corner Customhouse Quay and Waring Taylor Street

Phone           +64 4 916 2426  
Facsimile       +64 4 916 0433

## ***Why Test Certifiers?***

The Hazardous Substances and New Organisms Act (HSNO) will make it illegal to store certain very hazardous substances without first applying for and receiving a Test Certificate that verifies the location complies with legislative requirements. In addition, the person handling or supervising the handling of these substances, referred to as an Approved Handler, must be judged competent and hold a Test Certificate. The Test Certifier is the person responsible for checking that the specifications have been met and issuing the Test Certificate.

## ***Where will Test Certifiers Come From?***

Test certifiers will be individuals who have knowledge of hazardous substances and are able to undertake the verification necessary to satisfy the criteria set down in the HSNO regulations. They need to be confident and competent in the substances they certificate, for example, a test certifier will need expertise in the management of flammable substances to test and certify storage locations.

There is no one specific qualification or level of training that will determine your suitability. While academic qualifications may be an advantage, the selection process will place significant weight on experience, for instance, your understanding of specific substances or groups of substances or knowledge of hazards such as flammability, corrosiveness or toxicity.

## ***What Legislation Controls Hazardous Substances?***

Hazardous substances are controlled by the Hazardous Substances and New Organisms Act and associated regulations, standards and codes of practice. Clearly, Test Certifiers need to know about the act and the regulations that have a broad application, for example:

- Hazardous Substances and New Organisms (Personnel Qualifications) Regulations
- Hazardous Substances (Emergency Management) Regulations
- Hazardous Substances (Identification) Regulations
- Hazardous Substances (Packaging) Regulations
- Hazardous Substances (Tracking) Regulations
- Hazardous Substances (Disposal) Regulations

In some instances where you authorise particular substances or industries only a part of the regulations may be relevant, for example:

- Hazardous Substances (Classification) Regulations
- Hazardous Substances (Minimum Degrees of Hazard) Regulations
- Hazardous Substances (Classes 1 to 5 Controls) Regulations
- Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations

Others regulations are quite specific to a substance or have limited application, for example:

- Hazardous Substances (Fireworks) Regulations
- Hazardous Substances (Forms and Information) Regulations
- Hazardous Substances (Exempt Laboratories) Regulations

Yet other regulations and controls await publication and will place additional demands on some Test Certifiers.

- Compressed Gases Regulations.
- Transport of Bulk Liquids and Gaseous Hazardous Substances by Road and Rail Regulations.
- Static Storage Tanks and Ancillary Equipment Regulations or controls.

## ***How much must I Know about the (HSNO) Legislation***

A Test Certifier is required to “know and be able to describe” certain matters and “demonstrate” others. Formal training in the legislation is not a prerequisite but we will expect you to be familiar with the HSNO legislation. Attending a training course, seminar or similar is a most convenient way to achieve knowledge. An assessment and a demonstrable level of competence are an effective means of confirming understanding.

A Test Certifier must have an understanding of their obligations and liabilities under the HSNO Act. Essentially

- its purpose and principles;
- the offence and defence provisions;
- the penalties and liabilities imposed;
- what is a compliance order;
- the provisions applicable to test certificates;
- any other specific requirements or conditions

In addition, the Test Certifier will need an **understanding** of the HSNO regulations, notably:

- the hazard classifications of the substances for which they are a Test Certifier;
- the controls that are required;
- requirements for emergency management,
- the identification and signage criteria.

## ***What Else do I Need to Know?***

### ***Codes of Practice***

Codes of Practice will be approved by ERMA New Zealand; they provide a means of achieving compliance. The Test Certifier will need to be knowledgeable about the codes appropriate to the substances, classifications and facilities for which they issue certificates. This must be a part of the Test Certifiers knowledge.

### ***New Zealand Standards***

Similarly, the HSNO regulations refer to several New Zealand Standards. Test Certifiers must be aware of and have an understanding of those relevant to the classifications and substances for which they may issue certificates. Test Certifiers will be expected to have knowledge and experience of the standards appropriate to the areas that they will certify.

## ***HSNO is new, How am I Expected to Know all About it?***

Many of the provisions in the HSNO legislation were covered previously by a range of legislation, for example, Dangerous Goods Act, Toxic Substances Act, Explosives Act, Animal Remedies Act, Gas Act, Health Act, Health and Safety in Employment Act, Land Transport Act, Pesticides Act. If your experience lies in working with hazardous substances under any of this legislation then there may very well be opportunities for you as a Test Certifier if you can come up to speed with the HSNO regime.

## **Can I Work with the Substances and Industries I Know?**

Test Certifiers may choose to handle only certain industries or classes of substance. There are some ‘natural divisions’ in the classes, either from an industry or a substance standpoint. You might choose to just certify approved handlers or locations or an element of both.

Remember a single substance may have several classifications and you will need a broad based knowledge. Some ‘natural divisions’ that may be practical are indicated in the table:

<b>Classification</b>	<b>Natural Divisions</b>
Class 1 Explosives	Fireworks Explosives
Class 2 Gases	Flammable Gases Aerosols Acetylene Chlorine Oxygen - Bulk or Cylinders LPG – Bulk or Cylinders Refrigerants
Class 3 Flammable Liquids	Class 3.1 or Class 3.2 Adhesives Dry Cleaning Industrial applications Paints and Solvents Petroleum/Oil Products Spray Painting
Class 4	Combustible solids
Class 5	Oxidising substances Organic peroxides
Class 6 Toxic	Fumigants Molluscides Pesticides Timber Preservatives Antisapstains Chemicals
Class 8 Corrosives	
Class 9 Ecotoxic	

## **What does the Test Certifier do at a Location?**

Location Certificates are limited to Class 1 to 5 substances and then only where a hazardous atmosphere zone or hazardous substance location exists. Checks will vary depending on the class of the substance but will cover administrative matters; control of ignition sources; segregation and storage; protective equipment and clothing; identification and signage; and emergency management. A separate guideline is available for Location Certificates.

## **How do I Certify an Approved Handler?**

Approving a handler is straight forward. You do not necessarily need to interview the person but you will have to be satisfied the applicant is competent and has the necessary experience and knowledge to handle the substance. A separate guideline addresses certification of Approved Handlers.

### **Other Guidelines in this series**

*Becoming a Test Certifier  
Completing a Location Certificate  
Certificates for Approved Handlers*

*Your ‘Working’ Arrangements with ERMA NZ  
Professional Indemnity  
Conflict of Interest Issues for Test Certifiers*

