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## DECISION

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30 November 2012

### 1. Summary

<b>Substance Name</b>	<b>Non-flammable fuel oil manufactured from waste lubricating oil</b>
Application Code	APP201597
Application type	To import or manufacture for release any hazardous substance under Section 28 of the Hazardous Substances and New Organisms Act 1996 (the Act)
Application sub-type	Section 28A(2)(a) – rapid similar – having a similar composition and similar hazardous properties to a substance that has been approved under the Act
Applicant	ERS New Zealand Limited
Purpose of the application	To import or manufacture 'Non flammable fuel oil manufactured from waste lubricating oil' for ultimate export from New Zealand as a fuel oil
Date application received	15 November 2012
Consideration date	30 November 2012
Considered by	The Chief Executive of the Environmental Protection Authority <sup>1</sup> ("the EPA")
Decision	Approved with Controls
Approval code	HSR100772
Hazard classifications (refer to Table 1)	6.3B, 6.7B 9.1C

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<sup>1</sup> The Chief Executive has made this decision under delegated authority in accordance with section 19 of the Act.

## 2. Background

- 2.1. The applicant (ERS New Zealand Limited) has applied for approval to import or manufacture the substance 'non-flammable fuel oil manufactured from waste lubricating oil' (hereon referred to as non-flammable used oil fuel).
- 2.2. Non-flammable used oil fuel is a heavy fuel oil that the applicant intends to manufacture at their operational site from waste/used lubricating oil (mostly collected from service stations or garages). The non-flammable used oil fuel is filtered on receipt at the site, and is then stored in bulk stationary containers for one week to settle. The non-flammable used oil fuel is then dewatered to less than 3% water, and samples are regularly tested to ensure the flash point is over 93°C.
- 2.3. The exact composition of the non-flammable used oil fuel is unknown, however it is considered likely to be similar to the approved substance 'Fuel oil manufactured from waste lubricating oil' (approval number HSR001522), but with a higher flash point (and thus is non-flammable).
- 2.4. The applicant intends to export non-flammable used oil fuel for use as a fuel oil overseas; however, the staff note that this approval will not preclude the substance from remaining in New Zealand. The substance will be stored in bulk containers at the applicant's dangerous goods site before export.

## 3. Process and consultation

- 3.1. The application was lodged pursuant to section 28 of the Act.
- 3.2. The application contained sufficient information for EPA staff (the staff) to undertake an assessment of the substance.
- 3.3. The Labour Group of the Ministry of Business, Innovation and Employment (MBIE) were advised of the application on 19 November 2012 and invited to comment on it by 26 November 2012.
- 3.4. Kim Comben responded on behalf of the MBIE and commented that Parts 13 and 14 of Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (hereon referred to as the Transfer Notice) should apply to the substance notwithstanding that it does not have a flammable (class 3.1) classification. This was due to concerns that the non-flammable used oil fuel could be used within New Zealand in burners in the future.

## 4. Identity of reference substance

- 4.1. The applicant identified *Fuel oil manufactured from waste lubricating oil* as a suitable reference substance for comparison with non-flammable used oil fuel. This reference substance was

transferred into the Hazardous Substances and New Organisms (HSNO) regime via the Transfer Notice on 26 March 2004.

- 4.2. The reference substance is described in the Transfer Notice as 'a complex combination of hydrocarbons obtained by subjecting used motor lubricating oil to various treatment processes to remove heavy metals, additive components, water, sludge, solid particles and volatile fractions. It consists predominantly of hydrocarbons having carbon numbers in the range of C<sub>20</sub> to C<sub>40</sub>. The oil shall meet the following specification: Lead: (100 parts-per-million maximum) Arsenic: (5 parts-per-million maximum) Cadmium: (2 parts-per-million maximum) Chromium: (10 parts-per-million maximum) Total halogens\*: (1,000 parts-per-million maximum) Flashpoint: greater than 60°C. \*The oil shall contain no polychlorinated biphenyls (PCBs)'.
- 4.3. The exact composition of non-flammable used oil fuel is unknown; however, it is considered likely to be similar to the reference substance.
- 4.4. The staff recommend that the specifications assigned to the reference substance are also assigned to the non-flammable used oil fuel.

## 5. Hazardous properties

- 5.1. The staff note that although no data are available for any hazardous endpoint, other than class 3 flammability, it is likely that the hazard profile associated with the reference substance is applicable to non-flammable used oil fuel, given that they are both similar substances and both should be required to meet the same specifications (see paragraph 4.4).
- 5.2. The hazard classifications for the substance are set out in Table 1 for comparison against the reference substance.

**Table 1: Comparison of the hazard profiles of non-flammable used oil fuel and the reference substance**

Hazard Endpoint	Non-flammable used oil fuel	Reference Substance
Flammable liquid	-	3.1D
Skin irritant	6.3B	6.3B
Carcinogen	6.7B	6.7B
Aquatic ecotoxicant	9.1C	9.1C

- 5.3. The staff have determined that non-flammable used oil fuel has the following hazardous properties associated with it: it is a liquid and poses risks to human health including: mild skin irritation, and is a suspected human carcinogen. The substance is also harmful to the aquatic environment (effecting one of, or all of, the following: fish, crustacean and algal/aquatic plants).

- 5.4. The staff note that the reference substance is classified as having a 3.1D flammability hazard, however as the applicant has stated in their application that they regularly monitor the flash point of the non-flammable used oil fuel substance to ensure its flash point is above 93°C, and therefore it does not trigger the HSNO classification for flammability.

## 6. Meeting the criteria for rapid assessment under section 28A(2)(a) of the Act

- 6.1. The criteria for rapid assessment under section 28A(2)(a) of the Act is that the EPA is satisfied that non-flammable used oil fuel has a similar composition and similar hazardous properties to a substance that has been approved under the Act.
- 6.2. The full compositions of non-flammable used oil fuel and the reference substance are not available since both are manufactured from waste lubricating oils. With such substances, test data is appropriate, and the applicant has provided test data to show it is non-flammable.
- 6.3. The staff consider that there are no substantial differences in the lifecycles, uses, purposes and presentations between non-flammable used oil fuel and the reference substance, since both are manufactured from waste lubricating oil, and are used for fuel oil. There are no other matters which would prevent this application for Non-flammable used oil fuel from being approved under section 28A of the Act.
- 6.4. Based on the comparison and assessment detailed above, the staff consider that non-flammable used oil fuel meets the criteria for rapid assessment.

## 7. Risk Assessment

- 7.1. The risks associated with non-flammable used oil fuel include causing skin irritancy, and toxicity to humans, including the possibility of causing cancer; the substance also poses a risk to the aquatic environment.
- 7.2. The risks are similar to those posed by the reference substance; however, non-flammable used oil fuel does not pose a risk of unintended ignition. The staff note however, that it is a fuel oil composed of hydrocarbons (i.e. is an oil), thus it will sustain a fire should one occur.
- 7.3. The staff are satisfied that the controls that apply to the reference substance, with appropriate modifications (see Section 8) will mitigate the risks associated with non-flammable used oil fuel.

## 8. Controls

- 8.1. A set of controls was applied to the reference substance when it was approved under the Act. It is noted that changes made in legislation subsequent to the approval of the reference substance now also apply to it (section 77(2)(a) of the Act).

- 8.2. The staff consider most of the controls applied to the reference substance are also appropriate to non-flammable used oil fuel and thus will mitigate the risks associated with it; however some controls relating to protection of people and property from the adverse effects of unintended ignition are not appropriate and therefore have not been applied (e.g. Hazardous Substances (Classes 1 to 5 Control) Regulations 2001, Schedule 10 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004, identification of flammability hazards on labels and documentation, disposal requirements for flammable substances, and emergency management procedures for flammable substances).
- 8.3. The staff consider that as the substance is intended to be used as a fuel oil, the controls associated with stationary container systems used in connection with oil burning installations and with burners (Parts 13 and 14 of Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004) should apply to this substance (which would otherwise only apply to substances with 3.1 flammable classifications).
- 8.4. Taking into account the modifications, additions and combinations applied to the reference substance, the following variations to the default controls are proposed for non-flammable used oil fuel:

**Table 2: Modification and deletion of controls relating to the setting of exposure limits<sup>2</sup>**

Control	Comment
T1	This control relates to the setting of Tolerable Exposure Limits (TEs) to control hazardous substances entering the environment in quantities sufficient to present a risk to people. The staff do not propose setting any Acceptable Daily Exposures (ADEs), Potential Daily Exposures (PDEs) or Tolerable Exposure Limits (TEs) for any component of non-flammable used oil fuel at this time as the composition of the substance is unknown.
T2	The EPA typically adopts WES values listed in the Workplace Exposure Standards document (Effective from July 2011): <a href="http://www.osh.dol.govt.nz/publications/booklets/wes-jul-2011/wes-jul-2011.pdf">http://www.osh.dol.govt.nz/publications/booklets/wes-jul-2011/wes-jul-2011.pdf</a> The staff note that the Labour Group within MBIE sets WES values for components of substances, but that the composition of this substance is unknown. Therefore, no WES values are proposed for this substance at this time.
E1	This control relates to the setting of Environmental Exposure Limits (EELs) to control hazardous substances entering the environment in quantities sufficient to present a risk to the environment. As the composition of non-flammable used oil fuel is unknown, no EELs are proposed and thus this control can be deleted.
E2	This control relates to restrictions on the use of substances in application areas where an EEL has been set. As non-flammable used oil fuel is not intended for application to an area of land (or air or water) and no EEL has been proposed, this control can be deleted.

<sup>2</sup> Modifications are made in accordance with section 77(3) of the Act

**Table 3: Modifications to other default controls<sup>3</sup>**

Control	Comment
EM12	<p>This control relates to the requirement of a site to have secondary containment for pooling substances. The following subclauses are should be added after subclause (3) of regulation 36<sup>4</sup> (control EM12) to allow for dispensation where it is unnecessary for any associated pipework to have secondary containment</p> <p>Level 3 emergency management requirements: secondary containment</p> <p><b>The following subclauses shall be added after subclause (3) of regulation 36:</b></p> <p>(4) For the purposes of this regulation, and regulations 37 to 40, where this substance is contained in pipework that is installed and operated so as to manage any loss of containment in the pipework it—</p> <p style="padding-left: 40px;">(a) is not to be taken into account in determining whether a place is required to have a secondary containment system; and</p> <p style="padding-left: 40px;">(b) is not required to be located in a secondary containment system.</p> <p>(5) In this clause, pipework—</p> <p style="padding-left: 40px;">(a) means piping that—</p> <p style="padding-left: 80px;">(i) is connected to a stationary container; and</p> <p style="padding-left: 80px;">(ii) is used to transfer a hazardous substance into or out of the stationary container; and</p> <p style="padding-left: 40px;">(b) includes a process pipeline or a transfer line.</p> <p><b>The following subclauses are added at the end of regulation 37:</b></p> <p>(2) If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers each of which has a capacity of 60 litres or less—</p> <p style="padding-left: 40px;">(a) if the place's total pooling potential is less than 20,000 litres, the secondary containment system must have a capacity of at least 25% of that total pooling potential:</p> <p style="padding-left: 40px;">(b) if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—</p> <p style="padding-left: 80px;">(i) 5% of the total pooling potential; or</p> <p style="padding-left: 80px;">(ii) 5,000 litres.</p> <p>(3) Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that leakage of one substance may not adversely affect the container of another substance.</p> <p><b>The following subclauses are added at the end of regulation 38:</b></p> <p>(2) If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers 1 or more of which have a capacity of more than 60 litres but none of which have a capacity of more than 450 litres—</p> <p style="padding-left: 40px;">(a) if the place's total pooling potential is less than 20,000 litres, the secondary containment system must have a capacity of either 25% of that total pooling potential or 110% of the capacity of the largest container, whichever is the greater:</p>

<sup>3</sup> Modifications are made in accordance with section 77(3) of the Act

<sup>4</sup> Hazardous Substances (Emergency Management) Regulations 2001

	<p>(b) if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—</p> <p>(i) 5% of the total pooling potential; or</p> <p>(ii) 5,000 litres</p> <p>(3) Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that the leakage of one substance may not adversely affect the container of another substance.</p>
D4	<p>D4 refers to controls that specify disposal requirements for toxic and corrosive substances.</p> <p>Regulation 8(1)(b) of the Hazardous Substances (Disposal) Regulations 2001 should be deleted as this regulation allows a substance to be disposed of by discharging to the environment so long as any TEL set for the substance is not exceeded. However, as no TELs are proposed, this regulation should be deleted to prevent the unintended effect of allowing a substance to be discharged to the environment without restriction.</p>
D5	<p>D5 refers to controls that specify disposal requirements for ecotoxic substances.</p> <p>Regulation 9(1)(b) of the Hazardous Substances (Disposal) Regulations 2001 should be deleted as this regulation allows a substance to be disposed of by discharging to the environment so long as any EEL set for the substance is not exceeded. As no EELs are proposed, this regulation should be deleted to prevent the unintended effect of allowing a substance to be discharged to the environment without restriction.</p>

**Table 4: Addition of controls**

<b>Control</b>	<b>Comment</b>
Schedule 8	<p>The controls relating to stationary containers, as set out in Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (Supplement to the New Zealand Gazette, 26 March 2004, No. 35, page 767), as amended, should apply to this substance, notwithstanding clause 1 of that schedule.</p> <p>Clause 31, Part 5, is varied as follows:</p> <p>The table of distances is replaced by the values given in columns 1 and 3 in table 30(4) in Part 4 of Schedule 10 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004.</p> <p>The following text should be added to clause 31:</p> <p>Parts 13 and 14 of Schedule 8 are to apply to the substance notwithstanding that it does not have a flammable (class 3.1) classification.</p>
Schedule 9	<p>This schedule prescribes the controls for secondary containment of liquid substances. The requirements of this schedule are detailed in the consolidated version of the Hazardous Substances (Dangerous Goods and Schedule Toxic Substances) Transfer Notice 2004.</p>
Other	<p>The following specification applies to this substance:</p> <p>The oil shall meet the following specification: Lead: (100 parts-per-million maximum) Arsenic: (5 parts-per-million maximum) Cadmium: (2 parts-per-million maximum) Chromium: (10 parts-per-million maximum) Total halogens*: (1,000 parts-per-million maximum) Flashpoint: greater than 60°C*The oil shall contain no polychlorinated biphenyls (PCBs).'</p>

- 8.5. Taking into account the control modifications referred to above, the proposed controls for non-flammable used oil fuel are detailed in Appendix A.

## 9. Environmental user charges

- 9.1. The staff consider that use of controls on non-flammable used oil fuel is an effective means of managing risks associated with this substance. Therefore, it is not considered necessary to apply environmental user charges to this substance as an alternative or additional means of achieving effective risk management. Accordingly, no report has been made to the Minister for the Environment in accordance with section 96 of the Act.

## 10. Decision

- 10.1. Pursuant to section 28A of the Act, I have considered this application to import or manufacture a hazardous substance for release made under section 28 of the Act.
- 10.2. Having considered the composition, hazardous properties and use of non-flammable used oil fuel, I am satisfied that it meets the criteria for rapid assessment under section 28A(2)(a) in that it has similar composition and similar hazardous properties to a substance that has been approved under the Act.
- 10.3. I am satisfied with the hazard classifications identified by the staff in Table 1 and confer them accordingly on non-flammable used oil fuel.
- 10.4. As the risks posed by non-flammable used oil fuel are similar to those of the reference substance (with the exception of flammability), I consider that applying the controls with variations proposed in Section 8 of this decision, will ensure adequate management of the adverse effects of the substance.
- 10.5. In this consideration, I have also applied the following criteria in the Methodology:
- clause 9 – equivalent of sections 5, 6 and 8;
  - clause 12 – risk assessment;
  - clause 21 – the decision accords with the requirements of the Act and regulations;
  - clause 24 – the use of recognised risk identification, assessment, evaluation and management techniques;
  - clause 25 – the evaluation of risks; and
  - clause 35 – the costs and benefits of varying the default controls.
- 10.6. The application to import or manufacture the hazardous substance non-flammable used oil fuel is approved with controls as detailed in Appendix A.

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10.7. Nothing in this approval precludes the substance from remaining in New Zealand.

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Rob Forlong

Date: 30 November 2012  
(HSR100772)

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**Chief Executive, EPA**

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## Appendix A: Controls applying to Non-flammable used oil fuel

The controls for this substance apply for the indefinite duration of the approval of this substance.

Please refer to the Hazardous Substances Regulations<sup>5</sup> for the requirements prescribed for each control and the modifications listed as set out in Section 8 of this document.

**Table 6: Controls for Non-flammable used oil fuel – codes, regulations and variations**

### Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001

Code	Regulation	Description	Variation
T1	Regs 11 to 27	Limiting exposure to toxic substances through the setting of TELs, ADEs and PDEs	No ADEs, PDEs or TELs are set for any component at this time.
T2	Regs 29, 30	Controlling exposure in places of work through the setting of WESs.	No WES values are set for this substance at this time
T4	Reg 7	Requirements for equipment used to handle substances	
T5	Reg 8	Requirements for protective clothing and equipment	
T7	Reg 10	Restrictions on the carriage of toxic or corrosive substances on passenger service vehicles	

### Hazardous Substances (Classes 6, 8, and 9 Controls) Regulations 2001

Code	Regulation	Description	Variation
E6	Reg 7	Requirements for equipment used to handle substances	

### Hazardous Substances (Identification) Regulations 2001

Code	Regulation	Description	Variation
I1	Regs 6, 7, 32 – 35, 36(1) – (7)	Identification requirements, duties of persons in charge, accessibility, comprehensibility, clarity and durability	
I3	Reg 9	Priority identifiers for ecotoxic substances	
I9	Reg 18	Secondary identifiers for all hazardous substances	
I11	Reg 20	Secondary identifiers for ecotoxic substances	
I16	Reg 25	Secondary identifiers for toxic substances	

<sup>5</sup> The regulations can be found on the New Zealand Legislation website; <http://www.legislation.co.nz>

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Code	Regulation	Description	Variation
I17	Reg 26	Use of generic names	
I18	Reg 27	Requirements for using concentration ranges	
I19	Regs 29 – 31	Additional information requirements, including situations where substances are in multiple packaging	
I21	Regs 37 – 39, 47 – 50	General documentation requirements	
I23	Reg 41	Specific documentation requirements for ecotoxic substances	
I28	Reg 46	Specific documentation requirements for toxic substances	
I29	Regs 51, 52	Signage requirements	

#### Hazardous Substances (Packaging) Regulations 2001

Code	Regulation	Description	Variation
P1	Reg 5, 6, 7(1), 8	General packaging requirements	
P3	Reg 9	Criteria that allow substances to be packaged to a standard not meeting Packing Group I, II or III criteria	
P13	Reg 19	Packaging requirements for toxic substances	
PS4	Sch 4	Packaging requirements as specified in Schedule 4	

#### Hazardous Substances (Disposal) Regulations 2001

Code	Regulation	Description	Variation
D4	Reg 8	Disposal requirements for toxic and corrosive substances	Regulation 8(1)(b) is deleted
D5	Reg 9	Disposal requirements for ecotoxic substances	Regulation 9(1)(b) is deleted
D6	Reg 10	Disposal requirements for packages	
D7	Regs 11, 12	Information requirements for manufacturers, importers and suppliers, and persons in charge	
D8	Regs 13, 14	Documentation requirements for manufacturers, importers and	

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Code	Regulation	Description	Variation
		suppliers, and persons in charge	

### Hazardous Substances (Emergency Management) Regulations 2001

Code	Regulation	Description	Variation
EM1	Regs 6, 7, 9 – 11	Level 1 information requirements for suppliers and persons in charge	
EM6	Reg 8(e)	Information requirements for toxic substances	
EM7	Reg 8(f)	Information requirements for ecotoxic substances	
EM8	Regs 12 – 16, 18 – 20	Level 2 information requirements for suppliers and persons in charge	
EM11	Regs 25 – 34	Level 3 emergency management requirements: duties of person in charge, emergency response plans	
EM12	Reg 35-41	Level 3 emergency management requirements: secondary containment	<p><i>Level 3 emergency management requirements: secondary containment</i></p> <p><b>The following subclauses shall be added after subclause (3) of regulation 36:</b></p> <p><i>(4) For the purposes of this regulation, and regulations 37 to 40, where this substance is contained in pipework that is installed and operated so as to manage any loss of containment in the pipework it—</i></p> <p><i>(a) is not to be taken into account in determining whether a place is required to have a secondary containment system; and</i></p> <p><i>(b) is not required to be located in a secondary containment system.</i></p> <p><i>(5) In this clause, pipework—</i></p> <p><i>(a) means piping that—</i></p> <p><i>(i) is connected to a stationary container; and</i></p> <p><i>(ii) is used to transfer a hazardous substance into or out of the stationary</i></p>

Code	Regulation	Description	Variation
			<p style="text-align: right;"><i>container; and</i></p> <p><i>(b) includes a process pipeline or a transfer line.</i></p> <p><b><i>The following subclauses are added at the end of regulation 37:</i></b></p> <p><i>(2) If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers each of which has a capacity of 60 litres or less—</i></p> <p><i>(a) if the place's total pooling potential is less than 20,000 litres, the secondary containment system must have a capacity of at least 25% of that total pooling potential:</i></p> <p><i>(b) if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—</i></p> <p style="padding-left: 40px;"><i>(i) 5% of the total pooling potential; or</i></p> <p style="padding-left: 40px;"><i>(ii) 5,000 litres.</i></p> <p><i>(3) Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that leakage of one substance may not adversely affect the container of another substance.</i></p> <p><b><i>The following subclauses are added at the end of regulation 38:</i></b></p> <p><i>(2) If pooling substances which do not have class 1 to 5 hazard classifications are held in a place above ground in containers 1 or more of which have a capacity of more than 60 litres but none of which have a capacity of more than 450 litres—</i></p> <p><i>(a) if the place's total pooling potential is less than 20,000 litres, the secondary containment system must have a capacity of either 25% of that total pooling potential or</i></p>

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Code	Regulation	Description	Variation
			<p>110% of the capacity of the largest container, whichever is the greater:</p> <p>(b) if the place's total pooling potential is 20,000 litres or more, the secondary containment system must have a capacity of the greater of—</p> <p style="padding-left: 40px;">(i) 5% of the total pooling potential; or</p> <p style="padding-left: 40px;">(ii) 5,000 litres</p> <p>(3) Pooling substances to which subclause (2) applies must be segregated where appropriate to ensure that the leakage of one substance may not adversely affect the container of another substance.</p>
EM13	Reg 42	Level 3 emergency management requirements: signage	

**Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004**

Code	Regulation	Description
Sch 8	Schedule 8	<p>This schedule prescribes the controls for stationary container systems. The requirements of this schedule are detailed in the consolidated version of the Hazardous Substances (Dangerous Goods and Schedule Toxic Substances) Transfer Notice 2004.</p> <p>Clause 31, Part 5, is varied as follows:</p> <p>The table of distances is replaced by the values given in columns 1 and 3 in table 30(4) in Part 4 of Schedule 10 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004.</p> <p>The following text is also added to clause 31: Parts 13 and 14 of Schedule 8 are to apply to the substance notwithstanding that it does not have a flammable (class 3.1) classification.</p>

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### Schedule 9 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004

Code	Regulation	Description
Sch 9	Schedule 9	This schedule prescribes the controls relating to secondary containment. The requirements of this schedule are detailed in the consolidated version of the Hazardous Substances (Dangerous Goods and Schedule Toxic Substances) Transfer Notice 2004, available from <a href="http://www.epa.govt.nz/Publications/Transfer-Notice-35-2004.pdf">http://www.epa.govt.nz/Publications/Transfer-Notice-35-2004.pdf</a> .

### Hazardous Substances (Tank Wagon and Transportable Containers) Regulations 2004

Code	Regulation	Description
Tank Wagon	Regulations 4 to 43 as applicable	Controls relating to tank wagons and transportable containers.

### Additional Controls:

Code	Control Description
Other	The oil shall meet the following specification: Lead: (100 parts-per-million maximum) Arsenic: (5 parts-per-million maximum) Cadmium: (2 parts-per-million maximum) Chromium: (10 parts-per-million maximum) Total halogens*: (1,000 parts-per-million maximum) Flashpoint: greater than 60°C *The oil shall contain no polychlorinated biphenyls (PCBs).

## Appendix B: Confidential Information