Environmental Protection Authority
Te Mana Rauhī Taiao

Summary of HS application **APP202804** and Submission guidance

Date Submissions Open:	27 February 2018
Date Submissions Close:	12 April 2018
Application number:	APP202804
Purpose:	To import ethanedinitrile (EDN), a fumigant for use on timber/logs under commercial conditions
Applicant:	Lucebni Zavody Draslovka a.s. Kolin

Purpose of this document

On 17 July 2017, the Environmental Protection Authority (EPA) received an application seeking approval to import or manufacture EDN, a fumigant for use on timber/logs under commercial conditions. This application is being publicly notified to enable the public to provide comment by way of a submission, to help gather all relevant information, to put before the Decision-Making Committee.

The purpose of this document is to summarise the application and to provide guidance on the submission process.

Application summary

This document is a summary of the information provided in the application only.

It is not the risk assessment produced by the EPA staff. The EPA staff risk assessment will be completed at a later date using information from the application, submissions and other relevant sources.

The applicant intends to import or manufacture EDN, a gas containing 950 g/kg ethanedinitrile, for use as a phytosanitary treatment for wood to control a range of insects, nematodes and fungi. It is intended to be used by professional users at ports before the timber/logs are exported.

Submission process

This document also provides guidance to the submission process. The EPA encourages all submissions. The submission period for this application will start on 27 February 2018 and will end on 12 April 2018 at 5 pm.

In a submission you can provide information, make comments and raise issues. In this way, you contribute to the EPA decision-making process on specific applications. We are particularly interested in hearing from you on the following matters:

- Adverse effects, especially adverse effects not identified in the application[1]; and
- Positive effects, especially positive effects not identified in the application[2].

Further information on the purpose of submissions is available on the EPA website using the link below: https://www.epa.govt.nz/public-consultations/.

If you have any questions, you can contact:

- The applicant directly for any question you may have on the technical information in the application or the information provided to the EPA. The applicant representative, Helen Gear, can be contacted by e-mail (lauruscons@gmail.com) or by phone (+64 4 239 9945).
- The EPA for any question on the application and/or submission process. The Application Lead, Teresa, can be contacted by e-mail (EDN@epa.govt.nz) or by phone (+64 4 474 5452).

[1] Adverse effects can include any risks and costs associated with release of the substance.
[2] Positive effects can include any benefits associated with release of the substance.

Application summary

Please note that the following is a summary of the application as presented by the applicant and does not necessarily reflect the views of the EPA.

1. The applicant has made an application for release of EDN for the following purpose:

   To import EDN, a gas containing 950 g/kg ethanedinitrile, a fumigant for use on timber/logs under commercial conditions.

2. The applicant considers that EDN should be assigned the following hazard classifications:

Hazard class/subclass	HSNO Classification	Comment
Flammability	2.1.1A	
Acute toxicity (inhalation)	6.1B	
Aquatic ecotoxicity	9.1A	

3. The following is a summary of the lifecycle of the substance as presented in the application form:

   (a) import/manufacture;

   EDN will be imported into New Zealand by sea, packaged ready for sale in 73 L high pressure gas cylinders. Relabeling may occur after importation if there are New Zealand specific labelling requirements.

   (b) transport/storage;

   Within New Zealand, EDN will be transported by road, sea or rail. EDN will use the UN number 1026, has UN Transport Hazard Class 2.3/ Sub Class 2.1 and will use the UN Packing Group Number 1026. Prior to distribution, EDN will be stored at approved distributor locations. Storage will comply with AS 4332 and EDN will not be stored near sources of ignition, oxygen, fluorine, water or steam, and acid or acid fumes.

   (c) use;

   EDN is intended to be used as a fumigant for the phytosanitary treatment of wood to control a range of insects, nematodes and fungi. It is intended to be used by professional users at ports before the timber/logs are exported. Application of 150 g/m^3 of EDN for 24 hours is intended.

   (d) disposal.

   EDN is supplied in reusable chromium molybdenum steel cylinders. It is intended that the cylinders are emptied completely through the use of EDN as a fumigant and then the empty clyinders are

returned to the supplier for refilling. Should the cylinders retain residue EDN then these cylinders would also be returned to the supplier for disposal.

4. The non-confidential part of the application is available from the EPA website using the link below:

https://www.epa.govt.nz/database-search/hsno-application-register/view/APP202804

Adverse and beneficial effects

5. The following is a summary of the applicant's overall evaluation of the risks associated with release of the substance:

Receptor	Level of adverse effect	Comment
Physical hazards	Minimal	EDN is a flammable gas. However, combustion requires an ignition source and all protocols associated with the use of EDN require that no ignition sources are present.
Human health	Minimal to major	EDN has a 6.1B hazard classification which means it is acutely toxic. The main route of exposure is by inhalation. The applicant suggests buffer zones and personal protective equipment are used to mitigate this risk.
Environmental	Minimal	There is the potential for EDN to harm the aquatic environment or non-target organisms. EDN is a volatile gas. Therefore when it is released it is not expected to move into water nor soil to any significant extent.
Māori and relationship to environment	Minimal	The applicant held several discussions with Māori representatives prior to lodging this application, including a Māori Reference Group (MRG) established by the EPA.
New Zealand's international obligations	None	The applicant did not identify any risks to New Zeland's international obligations but they did identify benefits which are outlined below.

For greater detail, please refer to the application form.

6. The following is a summary of the applicant's overall evaluation of the benefits associated with release of the substance:

- EDN is being proposed as a new phytosanitary tool for fumigating logs before export. In addition to controlling wood insects, EDN has been claimed to control a range of fungi, phytophthora and nematodes. Effective phytosanitary tools are important to ensure New Zealand's trading partners continue to buy our wood products.
- EDN will not require any new equipment, other than EDN specific monitoring devices, and therefore, will have low set up costs.
- EDN is not a known greenhouse gas. It does not bioaccumulate in the bodies of living things and it is not an ozone-layer depleting substance. EDN dissipates quickly in the atmosphere, does not readily enter water, soil or sediment and in the environment it breaks down to naturally occuring substances. While it forms hydrogen cynanide when it comes in contact with water, all organisms have the capability to metabolise and remove sub-lethal doses.
- EDN is a proposed alternative to methyl bromide, which is an ozone-depleting substance. A reduction in the use of methyl bromide would be in line with New Zealand's obligations under the Montreal protocol to decrease the use of ozone-depleting substances.

Please let us know whether you consider that there are additional adverse effects that we should be aware of or additional information related to the described effects.

When identifying adverse effects it is important that you provide us with reasons as to:

- What other adverse effects are ***likely*** to be caused by importing or manufacturing EDN for use as a fumigant for timber/logs under commercial conditions
- How ***likely*** these adverse effects are and their potential scale
- How you think the adverse effects could happen (ie the series of events that would have to happen for the adverse effects to occur)
- Options and proposals for managing the adverse effects
- Any uncertainty you have on the scope of the information we will use to assess the adverse effects.

Please let us know whether you consider that there are additional positive/beneficial effects that we should be aware of or additional information related to the described effects.

When identifying positive/beneficial effects, it is important that you provide us with information on:

- Other positive effects ***likely*** to be caused by importing or manufacturing EDN for use as a fumigant for timber/logs under commercial conditions
- How ***likely*** these positive/beneficial effects are and their potential scale
- How you think the positive/beneficial effects could happen (ie the series of events that would have to happen for the positive/beneficial effects to occur)
- Options and proposals for ensuring the positive/beneficial effects occur, and
- Any uncertainty you have on the scope of the information used to assess the positive/beneficial effects.

Other information

If there is other information you wish us to be aware of, please also include this in your submission.

Making a submission

What is a submission?

We encourage anyone to make a submission, regardless of how much detail you are able to provide. In your submission, you can also request a hearing if you would like to strengthen your views in person before the Decision-Making Committee. Further information on submissions for a hazardous substance application is available on the EPA website using the link below:

https://www.epa.govt.nz/public-consultations/how-to-make-a-submission/

Submissions are publicly available and will be displayed on the application webpage after submissions close. If you have confidential information you wish to provide, please contact the Application Lead, Teresa, by e-mail (EDN@epa.govt.nz) or by phone (+64 4 474 5452).

How to make a submission?

The EPA website provides guidance on how to make a submission. This is preferably done via the EPA submission form but may be sent as a letter or email to the EPA. This information and the submission form can be accessed on the EPA website using the link below:

https://www.epa.govt.nz/public-consultations/

What happens after you make a submission?

When the submission period closes, all submissions will be summarised and made available to the Decision-Making Committee together with the EPA Staff Assessment Report.

You are entitled to bring witnesses who may speak about your submission to a hearing. If you choose this option, you should provide the EPA with a list of the witnesses, their areas of expertise, and the elements of the submission or application they wish to talk about.

You are also entitled to speak at the hearing in one of the three official languages of New Zealand: English, Māori or New Zealand Sign Language. Please advise the Application Lead at least two weeks prior to the hearing in order for the EPA to organise an interpreter should one be required. The Application Lead, Teresa, can be contacted by e-mail (EDN@epa.govt.nz) or by phone (+64 4 474 5452).

At least two weeks prior any hearing, both the applicant and submitter(s) need to provide the EPA with copies of any information they intend to present at the hearing.

Consideration of the application opens on day one of any hearing, or when all information is presented to the Decision-Making Committee should no one request a hearing.

A decision will be made by the Decision-Making Committee at the end of the consideration period. This will be made public on the EPA website.