

DIRECTION & MINUTE OF THE DECISION-MAKING COMMITTEE

Hazardous Substances and New Organisms Act 1996 (“HSNO Act”)

Application APP202804; to import EDN (Ethanedinitrile), a fumigant for use on timber/logs under commercial conditions

WGT012: Direction & Minute of the Decision-making Committee – 31 August 2021

Review of new information and next steps

Background

1. On 2 April 2020 the DMC released Direction and Minute 11 in response to new information received from the applicant on 26 March 2020 under Direction and Minute 9. Direction and Minute 11 allowed all parties to submit a response to the new information received and directed the EPA to prepare an updated staff report and for that report to be made available to all parties.
2. This is the twelfth Direction and Minute of the DMC and addresses key developments since Direction and Minute 11, along with a summary of the next steps in this application.

Key developments

3. On 4 May 2020, responses were received from submitters to Direction and Minute 11.
4. On 8 December 2020, WorkSafe notified the EPA that two draft Safe Work Instruments (SWIs), ‘*Health and Safety at Work (Hazardous Substances—Requirements for Specified Fumigants) Amendment Safe Work Instrument 2021*’ and ‘*Health and Safety at Work (General Risk and Workplace Management—Exposure and Health Monitoring Requirements for Ethanedinitrile) Safe Work Instrument 2021*’ (the draft SWIs) had been approved in principle.
5. On 23 August 2021, the EPA made available on its website an updated EPA Staff Report 2021, prepared in light of the DMC Direction and Minute 11, together with relevant documentation including the updated EPA Science Memorandum 2021, additional information including responses from submitters to Direction and Minute 11, and the draft SWIs that have been approved in principle.

Next steps

6. The DMC is considering the updated EPA Staff Report 2021 and associated documentation, including the draft SWIs from WorkSafe. As noted by the DMC in Direction and Minute 8, the

development of SWIs is a separate statutory process under the Health and Safety at Work Act 2015 which is independent of the application to import or manufacture a hazardous substance under the Hazardous Substances and New Organisms Act 1996. However, the DMC will use this information to consider if workplace requirements are adequate and if there is any residual risk to the public and the environment.

7. The DMC now invites all parties to the process to provide comments on the updated EPA Staff Report 2021 and the updated EPA Science Memorandum 2021.
8. Any responses must be received within **15 working days** from the publication of this Direction and Minute on the EPA website. Responses can be made via the EPA submission form but may also be sent as a letter or email to the EPA. Please advise the EPA if there are issues related to the COVID-19 situation that would affect your ability to meet this timeframe.
9. The DMC will outline further procedural steps in respect of the application in a future Direction and Minute.
10. The DMC directs this Direction and Minute be made available on the EPA website with other application documents.

For the Decision-making Committee:



Dr John Taylor

Date: 31 August 2021

Chairperson