

# Application for approval to import EDN for release APP202804 October 2019

## Response to the WGT009: Direction & Minute of the Decision-making Committee – 11 December 2019

### 1. Background

- 1.1. On the 9th October 2019 the EPA released an Addendum [Addendum] to the EPA Staff Report [Report]<sup>1</sup>. The EPA produced the Addendum following review of the additional information [Information] provided to the EPA since August 2018.
- 1.2. On the 21<sup>st</sup> October 2018 Draslovka submitted a request to the Decision-making Committee (DMC) seeking agreement to submit new information in response to the Addendum to the Staff report to inform the decision-making process.
- 1.3. On the 11<sup>th</sup> December 2019 the DMC released a Direction and minute WGT009 accepting the potential provision of new information described by the applicant in its submission and requesting that *“the applicant provide a timeframe for the provision of any new information no later than 23 January 2020”*.
- 1.4. The information offered by the applicant in its request of the 21<sup>st</sup> October included;
  - i. *“An official request to reduce the application rate from 150 g/m<sup>3</sup> to 120 g/m<sup>3</sup> with a specified end-point.*
  - ii. *Re modelling at the new application rate and end-point concentration; and including,*
  - iii. *Ship hold modelling*
  - iv. *A control that will allow uncertainty to be dealt with*
  - v. *Information on seabird colonies*
  - vi. *The US report on the trial undertaken to assess worker safety*
  - vii. *Confirmed buffer zones approved in Korea for the use of EDN”*.

### 2. Provision of information

- 2.1. The EPA currently has a modified reassessment of methyl bromide (APP203660) underway. In this process the EPA has received modelling documents prepared by several different parties

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<sup>1</sup> [APP202804 Addendum to Staff Report 07Oct2019](#)

that predict likely levels of methyl bromide associated with log and ship-hold fumigations. These documents report on modelling undertaken using different approaches and different parameters. Due to the variation in results produced by the different modelling exercises for the methyl bromide reassessment process, the DMC for that process has requested that an Expert Conference be convened in Wellington on 30<sup>th</sup> January 2020 to agree the most appropriate set of parameters on which to undertake any future modelling.

- 2.2. Draslovka is aware that WorkSafe has undertaken modelling of EDN to support its development of the Safe Work Instrument (SWI) for EDN. In advance of the modelling being undertaken Draslovka queried whether WorkSafe would be prepared to delay its process to take into account the Expert Conferencing being convened for the methyl bromide reassessment. WorkSafe decided to proceed to prevent any further delay in the SWI process.
- 2.3. Draslovka is unaware of the parameters on which WorkSafe has based its modelling of EDN. Draslovka considers it must provide the most credible modelling possible for the DMC's consideration. Consequently, Draslovka proposes waiting until the Expert Conferencing is completed on the 30<sup>th</sup> January and use the outputs of that process to inform the model that will be submitted for EDN use.
- 2.4. Should the Expert Conferencing agree parameters and an approach similar to those used for the WorkSafe modelling mentioned in section 2.2 Draslovka will ask that the DMC recognise the WorkSafe modelling and use that to inform its own considerations.
- 2.5. However, should the Expert Conferencing agree a significantly different set of parameters or approach, Draslovka intends commissioning modelling for EDN from Sullivan environmental (Sullivan Environmental will participate in the methyl bromide Expert Conferencing). The modelling process will commence immediately after a consensus is agreed at the Conferencing.
- 2.6. Based on a consensus being reached at the Expert Conferencing Sullivan Environmental has indicated the most time-consuming modelling option can be completed by 23<sup>rd</sup> March 2020.
- 2.7. Once the modelling is completed, i.e. on or before the 23<sup>rd</sup> March 2020, Draslovka will provide all the information listed in 1.4 above. It is expected that provision of this information will still be in advance of the completion of the SWI by WorkSafe and could allow the EPA process to work in parallel with the later stage of the SWI development.

2.8. Draslovka is aware that this timing may potentially cause some delay in the decision-making process. Draslovka accepts that this delay is important to ensure the DMC is provided with the best quality information to inform its decision.

### 3. Offer to provide information provided to WorkSafe NZ since July 2019

3.1. Draslovka notes that point 9 of the Direction and minute WGT009 states *“the DMC and other submitters could be considering this information in parallel with any SWI process”*

3.2. Draslovka also notes that as part of its engagement with WorkSafe ,to inform the development of the SWI, Draslovka provided a number of documents to WorkSafe that may be useful to the DMC and submitters in their consideration EDN. These include

- ***Information for Worksafe NZ’s consideration of Safe work instrument requirements EDN June 2019*** This document includes a summary of the data collected on New Zealand fumigations between February and May 2019 and a response to issues raised in the Worksafe NZ July 2018 report
- ***Information regarding LOD and LOQ for the Gasmet Monitor.***
- ***Justification for not using Scrubbing, Destruction, or Recapture Equipment during the ventilation of Ethanedinitrile***
- ***STIMBR request for inclusion of ship holds and containers in EDN’s safe work instrument*** . This document contains modelling for ship holds prepared August 2019

3.3. Draslovka is aware that to date these documents have not been provided to the EPA and is prepared to supply this information to the DMC at the same time that is provides the information listed in 1.4 above.