

REISSUED APPROVAL

19 March 2020

Summary

Substance	Sulfur
Application code	APP202961
Application type	To reissue an approval for a hazardous substance under clause 4 of Schedule 7 of the Hazardous Substances and New Organisms (HSNO) Act 1996 (“the Act”)
Purpose of the application	To reissue the approval for Sulfur, excluding formed sulfur
Reissue Date	19 March 2020
Considered by	The Chief Executive ¹ of the Environmental Protection Authority (“the EPA”)
Decision	Approved for reissue
Approval code	HSR001284
Hazard classifications	4.1.1B, 6.4A

Decision

- 1.1. Pursuant to clause 4 of Schedule 7 of the Act, I have considered this approval to reissue.
- 1.2. I have considered the matters raised in sections 4 to 8 of the Act but, given the nature of the reissue is administrative, there are no further considerations required in order to achieve the purpose of the Act.
- 1.3. I consider it appropriate to reissue HSR001284 with the controls set out in the Appendix in accordance with clause 4 of Schedule 7 of the Act. Therefore the new approval is now made under section 29 of the Act, in accordance with clause 4(5) of Schedule 7, and Schedule 7 no longer applies to the new approval.

¹ The Chief Executive of the EPA has made the decision on this application under delegated authority in accordance with section 19 of the Act.

- 1.4. The transitional provisions of the relevant EPA Notices apply to the reissued approval for the transitional period which begins on the date of reissue and ends on 31 March 2022.



Signed by:

Date: 19 March 2020

Dr Allan L Freeth
Chief Executive, EPA

Appendix: Controls applying to Sulfur, excluding formed sulphur

EPA Controls

Control code	EPA Notice	Control description
LAB	EPA Labelling Notice 2017	Requirements for labelling of hazardous substances
PKG	EPA Packaging Notice 2017	Requirements for packaging of hazardous substances
SDS	EPA Safety Data Sheet Notice 2017	Requirements for safety data sheets for hazardous substances
DIS	EPA Disposal Notice 2017	Requirements for disposal of hazardous substances
HPC-1	EPA Hazardous Property Controls Notice 2017 Part 1	Hazardous Property Controls preliminary provisions
HPC-3	EPA Hazardous Property Controls Notice 2017 Part 3	Hazardous substances in a place other than a workplace

HSNO Additional Controls and Modifications to Controls

Control code	HSNO Act	Control
Use restriction	Section 77A	<p>No person may use this substance described as a pesticide or a veterinary medicine.</p> <p>However, this substance may be used in the formulation of a pesticide or a veterinary medicine.</p> <p>For the purpose of this control—</p> <p>(a) pesticide includes, but is not limited to, a product intended for use as an acaricide, antifouling paint, avicide, fumigant, fungicide, insecticide, herbicide, miticide, molluscicide, piscicide, timber treatment preservative or vertebrate toxic agent</p> <p>(b) veterinary medicine has the same meaning given to it in the Agricultural Compounds and Veterinary Medicines Act 1997.</p>

HSW (HS) Requirements

Note: these requirements are not set for the substance under this approval but apply in their own right under the Health and Safety at Work (Hazardous Substances) legislation according to the classification of the substance. They are listed here for information purposes only.

Code	Regulation	Description
HSW2-1	Reg 2.1-2.4	Workplace labelling of hazardous substance containers
HSW2-2	Reg 2.5-2.10	Signage
HSW2-3	Reg 2.11	Safety data sheets
HSW2-4	Reg 2.12-2.14	Packaging
HSW3-1	Reg 3.1	Inventory
HSW3-2	Reg 3.2-3.3	Managing risks associated with hazardous substances
HSW4-2	Reg 4.5-4.6	Information, instruction, training and supervision
HSW5-1	Reg 5.2-5.5	Fire extinguishers
HSW5-2	Reg 5.6-5.13	Emergency response plans
HSW8-1	Reg 8.1-8.2	Compliance certification
HSW8-2	Reg 8.3-8.4	Requirements for public transportation of class 1 to 5 substances
HSW10-1	Reg 10.3	General controls on class 2, 3, and 4 substances
HSW10-3	Reg 10.5	Requirement to segregate class 2, 3, and 4 substances
HSW10-6	Reg 10.21-10.22	Limits on ignition sources and temperature for class 3.2 and 4 substances
HSW10-7	Reg 10.23	Requirements to reduce likelihood of unintended ignition of class 4.1.1 substances that may cause fire through friction
HSW10-10	Reg 10.26	Duty of PCBU to establish hazardous substance location
HSW10-11	Reg 10.27-10.29	Duty of PCBU to control adverse effects of unintended ignition of class 3.2 or 4 substances present at hazardous substance location
HSW10-12	Reg 10.30-10.33	Secondary containment for class 3 and 4 pooling substances
HSW10-14	Reg 10.36	Requirement to have compliance certificate if class 3.2 or 4 substance present at hazardous substance location
HSW10-15	Reg 10.37	Requirement for transit depot
HSW13-2	Reg 13.7	Duty of PCBU who directs work using class 6, 8.1, 8.2, or 8.3 substances to ensure equipment is appropriate
HSW13-8	Reg 13.17	Prohibition on use of substance in excess of tolerable exposure limit
HSW13-9	Reg 13.18	Duty of PCBU to ensure prescribed exposure standards for class 6 substances not exceeded
HSW16-1	Part 16	Requirements for tank wagons and transportable containers