19 March 2020

Summary

<table>
<thead>
<tr>
<th>Substance</th>
<th>J57.23C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application code</td>
<td>APP202961 / HSR05162</td>
</tr>
<tr>
<td>Application type</td>
<td>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”)</td>
</tr>
<tr>
<td>Purpose of the application</td>
<td>To reissue the approval for J57.23C, a timber treatment concentrate</td>
</tr>
<tr>
<td>Reissue Date</td>
<td>19 March 2020</td>
</tr>
<tr>
<td>Considered by</td>
<td>The Chief Executive(^1) of the Environmental Protection Authority (“the EPA”)</td>
</tr>
<tr>
<td>Decision</td>
<td>Approved for reissue</td>
</tr>
<tr>
<td>Approval code</td>
<td>HSR007642</td>
</tr>
<tr>
<td>Hazard classifications</td>
<td>3.1C, 6.1C (dermal), 6.1D (inhalation), 6.1D (oral), 6.3B, 6.4A, 6.5B, 6.9B (oral), 9.1A, 9.3C</td>
</tr>
</tbody>
</table>

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 HSR007642 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: Dr Allan L Freeth
Chief Executive, EPA

Date: 19 March 2020
Appendix: Controls applying to J57.23C

EPA Controls

<table>
<thead>
<tr>
<th>Control code</th>
<th>EPA Notice</th>
<th>Control description</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAB</td>
<td>EPA Labelling Notice 2017</td>
<td>Requirements for labelling of hazardous substances</td>
</tr>
<tr>
<td>PKG</td>
<td>EPA Packaging Notice 2017</td>
<td>Requirements for packaging of hazardous substances</td>
</tr>
<tr>
<td>SDS</td>
<td>EPA Safety Data Sheet Notice 2017</td>
<td>Requirements for safety data sheets for hazardous substances</td>
</tr>
<tr>
<td>DIS</td>
<td>EPA Disposal Notice 2017</td>
<td>Requirements for disposal of hazardous substances</td>
</tr>
<tr>
<td>HPC-1</td>
<td>EPA Hazardous Property Controls Notice 2017 Part 1</td>
<td>Hazardous Property Controls preliminary provisions</td>
</tr>
<tr>
<td>HPC-2</td>
<td>EPA Hazardous Property Controls Notice 2017 Part 2</td>
<td>Certain substances restricted to workplaces only</td>
</tr>
<tr>
<td>HPC-3</td>
<td>EPA Hazardous Property Controls Notice 2017 Part 3</td>
<td>Hazardous substances in a place other than a workplace</td>
</tr>
<tr>
<td>HPC-4A</td>
<td>EPA Hazardous Property Controls Notice 2017 Part 4A</td>
<td>Site and storage controls for class 9 substances</td>
</tr>
<tr>
<td>HPC-4B</td>
<td>EPA Hazardous Property Controls Notice 2017 Part 4B</td>
<td>Use of class 9 substances</td>
</tr>
</tbody>
</table>

HSNO Additional Controls and Modifications to Controls

<table>
<thead>
<tr>
<th>Control code</th>
<th>HSNO Act</th>
<th>Control</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use restriction</td>
<td>Section 77A</td>
<td>This approval is limited to the manufacture or import of J57.23C for use in New Zealand as a manufacturing concentrate or for its export.</td>
</tr>
</tbody>
</table>
# 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.

<table>
<thead>
<tr>
<th>Code</th>
<th>Regulation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HSW2-1</td>
<td>Reg 2.1-2.4</td>
<td>Workplace labelling of hazardous substance containers</td>
</tr>
<tr>
<td>HSW2-2</td>
<td>Reg 2.5-2.10</td>
<td>Signage</td>
</tr>
<tr>
<td>HSW2-3</td>
<td>Reg 2.11</td>
<td>Safety data sheets</td>
</tr>
<tr>
<td>HSW2-4</td>
<td>Reg 2.12-2.14</td>
<td>Packaging</td>
</tr>
<tr>
<td>HSW3-1</td>
<td>Reg 3.1</td>
<td>Inventory</td>
</tr>
<tr>
<td>HSW3-2</td>
<td>Reg 3.2-3.3</td>
<td>Managing risks associated with hazardous substances</td>
</tr>
<tr>
<td>HSW4-2</td>
<td>Reg 4.5-4.6</td>
<td>Information, instruction, training and supervision</td>
</tr>
<tr>
<td>HSW5-1</td>
<td>Reg 5.2-5.5</td>
<td>Fire extinguishers</td>
</tr>
<tr>
<td>HSW5-2</td>
<td>Reg 5.6-5.13</td>
<td>Emergency response plans</td>
</tr>
<tr>
<td>HSW8-1</td>
<td>Reg 8.1-8.2</td>
<td>Compliance certification</td>
</tr>
<tr>
<td>HSW8-2</td>
<td>Reg 8.3-8.4</td>
<td>Requirements for public transportation of class 1 to 5 substances</td>
</tr>
<tr>
<td>HSW10-1</td>
<td>Reg 10.3</td>
<td>General controls on class 2, 3, and 4 substances</td>
</tr>
<tr>
<td>HSW10-2</td>
<td>Reg 10.5</td>
<td>Requirement to segregate class 2, 3, and 4 substances</td>
</tr>
<tr>
<td>HSW10-4</td>
<td>Reg 10.6-10.7</td>
<td>Duty of PCBU to establish a hazardous area</td>
</tr>
<tr>
<td>HSW10-5</td>
<td>Reg 10.8-10.20</td>
<td>Requirements to prevent unintended ignition of class 2.1.1, 2.1.2 and 3.1 substances</td>
</tr>
<tr>
<td>HSW10-10</td>
<td>Reg 10.26</td>
<td>Duty of PCBU to establish hazardous substance location</td>
</tr>
<tr>
<td>HSW10-12</td>
<td>Reg 10.30-10.33</td>
<td>Secondary containment for class 3 and 4 pooling substances</td>
</tr>
<tr>
<td>HSW10-13</td>
<td>Reg 10.34-10.35</td>
<td>Requirement to have compliance certificate if class 2.1.1, 2.1.2, or 3.1 substance present at hazardous substance location</td>
</tr>
<tr>
<td>HSW10-15</td>
<td>Reg 10.37</td>
<td>Requirement for transit depot</td>
</tr>
<tr>
<td>HSW11-1</td>
<td>Part 11</td>
<td>Controls relating to adverse effects of unintended ignition of class 2 and 3.1 substances</td>
</tr>
<tr>
<td>HSW13-1</td>
<td>Reg 13.3-13.4</td>
<td>Records of application for class 6 substances</td>
</tr>
<tr>
<td>HSW13-2</td>
<td>Reg 13.7</td>
<td>Duty of PCBU who directs work using class 6, 8.1, 8.2, or 8.3 substances to ensure equipment is appropriate</td>
</tr>
<tr>
<td>HSW13-3</td>
<td>Reg 13.8</td>
<td>Duty of PCBU who directs work using class 6 and 8 substances to ensure personal protective equipment used</td>
</tr>
<tr>
<td>HSW13-5</td>
<td>Reg 13.10</td>
<td>Substances not requiring a certified handler to be secured</td>
</tr>
<tr>
<td>HSW13-7</td>
<td>Reg 13.14-13.16</td>
<td>Transportation of certain class 6 and 8 substances</td>
</tr>
<tr>
<td>---------</td>
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<td>-----------------------------------------------</td>
</tr>
<tr>
<td>HSW13-8</td>
<td>Reg 13.17</td>
<td>Prohibition on use of substance in excess of tolerable exposure limit</td>
</tr>
<tr>
<td>HSW13-9</td>
<td>Reg 13.18</td>
<td>Duty of PCBU to ensure prescribed exposure standards for class 6 substances not exceeded</td>
</tr>
<tr>
<td>HSW13-13</td>
<td>Reg 13.26-13.29, 13.35-13.37</td>
<td>Storage and segregation of certain class 6 or 8 substances</td>
</tr>
<tr>
<td>HSW13-14</td>
<td>Reg 13.30-13.33</td>
<td>Secondary containment requirements for class 6 and 8 pooling substances</td>
</tr>
<tr>
<td>HSW13-15</td>
<td>Reg 13.34, 13.38-13.39</td>
<td>Duty of PCBU to establish hazardous substance location and compliance certificate requirements where certain class 6 or 8 substances present</td>
</tr>
<tr>
<td>HSW13-16</td>
<td>Reg 13.40-13.44</td>
<td>Separation of hazardous substance locations holding class 6 and 8 substances</td>
</tr>
<tr>
<td>HSW13-17</td>
<td>Reg 13.45</td>
<td>Additional emergency management requirements for certain class 6 or 8 substances</td>
</tr>
<tr>
<td>HSW16-1</td>
<td>Part 16</td>
<td>Requirements for tank wagons and transportable containers</td>
</tr>
<tr>
<td>HSW17-1</td>
<td>Part 17</td>
<td>Requirements for stationary container systems</td>
</tr>
</tbody>
</table>