



DECISION

16 August 2017

Summary

| Substance | SIGMA ECOFLEET 290S BLUE |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Application code | APP203215 |
| Application type | Determination of Hazardous Substance |
| Applicant | PPG Industries New Zealand LTD |
| Application purpose | To determine if 'SIGMA ECOFLEET 290S BLUE' is hazardous. |
| Date application formally received | 26 April 2017 |
| Consideration date | 16 August 2017 |
| Considered by | The Chief Executive ¹ of the Environmental Protection Authority ("the EPA") |
| Decision | Hazardous Classification: Unable to determine all the hazard classifications. Does not match existing HSNO approval |

1. Process and notification

Application receipt

1.1. The application was formally received on 26 April 2017 pursuant to section 26 of the Act.

Legislative criteria

1.2. Pursuant to section 26(3) of the Act, the EPA may determine one or more of the following:

- whether or not SIGMA ECOFLEET 290S BLUE is a hazardous substance;
- the substance's classification (if hazardous);
- the approvals that apply or are required to be obtained.

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.

- 1.3. In doing so, the relevant sections of the Act were followed. This included consideration of the matters set out in Part 2 of the Act. In accordance with section 7, the EPA took into account the need for caution in managing adverse effects where there is scientific and technical uncertainty about those effects. No other matters in Part 2 of the Act were considered material to the assessment required under section 26 in this instance.

Information available for consideration

- 1.4. The EPA is required to have regard to information held by government departments and Crown entities. WorkSafe New Zealand and the Department of Conservation were identified as the only government organisations that could reasonably be expected to hold information relevant to the applications. Hence, these organisations were advised of the application on 26 April 2017 and requested to provide any relevant information. No information was provided.
- 1.5. The EPA is also required to have regard to any information provided by the applicant, and information held by the EPA. After receiving the application, the EPA decided that it did not yet have sufficient information relating to all of the matters material to the decision under section 26(3). As such, on 13 July 2017 the EPA requested further information from the applicant under s 52 of the Act. On 20 July 2017 the applicant responded, confirming that it was not able to provide the information requested.
- 1.6. The information available for consideration therefore comprised:
- the application form
 - confidential appendices to the application
 - information held by the EPA
 - Additional information submitted by the applicant on 28 April 2017 in response to a request by the EPA. The applicant provided additional information regarding the 6.6 and 6.7 classification.

2. Determination of SIGME ECOFLEET 290S BLUE

Whether the substance is hazardous

- 2.1. It has been determined that the intrinsic properties of SIGMA ECOFLEET 290S BLUE are such that one or more of the thresholds specified in the Hazardous Substance (Minimum Degrees of Hazard) Regulations 2001 have been exceeded. Therefore the substance is determined to be a hazardous substance for the purposes of the Act.

Hazard classification

- 2.2. There is insufficient information available to determine the full hazard classification of SIGMA ECOFLEET 290S BLUE.
- 2.3. For information purposes only, the classifications that have been identified are shown in Table 1, and hazard classes for which insufficient data are available to the EPA to classify the substance are shown in Table 2. This does not constitute a determination of the substance's hazard classification, which cannot be determined without further information about all of the substance's hazardous properties.

Table 1 Hazard classifications of SIGMA ECOFLEET 290S BLUE

| Hazard Property | EPA classification |
|--------------------------------------|--------------------|
| Flammability | 3.1C |
| Acute toxicity (dermal) | 6.1D |
| Acute toxicity (inhalation) | 6.1D |
| Acute toxicity (aspiration) | No |
| Skin corrosivity/irritancy | 6.3B |
| Eye corrosivity/irritancy | 6.4A |
| Contact sensitisation | 6.5B |
| Reproductive/ developmental toxicity | 6.8B |
| Target organ systemic toxicity | 6.9B |
| Aquatic ecotoxicity | 9.1A |
| Vertebrate ecotoxicity | 9.3B |

Table 2 Hazard classes for which insufficient information is available to classify SIGMA ECOFLEET 290S BLUE

| Hazard Property | EPA classification |
|----------------------------------------------------|--------------------|
| Explosiveness | ND |
| Flammability / combustibility (class 4) | ND |
| Oxidiser | ND |
| Metal corrosive | ND |
| Acute toxicity (oral) | ND |
| Respiratory sensitisation | ND |
| Mutagenicity | ND |
| Carcinogenicity | ND |
| Reproductive/ developmental toxicity via lactation | ND |
| Soil ecotoxicity | ND |
| Invertebrate ecotoxicity | ND |

- 2.4. The EPA would need further information relating to the hazard properties listed in Table 2 in order to issue a determination of the hazardous substance's classification under s 26(3)(b).

Approvals that apply or are required to be obtained

- 2.5. The Act requires the importation or manufacture of a hazardous substance to be in accordance with an approval.
- 2.6. There is sufficient information to determine that no current approvals under Part 5 of the Act apply to SIGMA ECOFLEET 290S BLUE.



Dr Allan L Freeth

Date: 16 August 2017

Chief Executive, EPA
