

**Before a Decision-Making Committee
Of the Environmental Protection Authority**

APP203660

Under the Hazardous Substances and New
Organisms Act 1996

In the matter of the modified reassessment of methyl
bromide

By **Stakeholders in Methyl Bromide
Reduction Inc**

Applicant

**5TH MEMORANDUM OF COUNSEL FOR THE APPLICANT
5 DECEMBER 2019**

Counsel Acting
M J Slyfield
Stout Street Chambers

(04) 915 9277
morgan.slyfield@stoutstreet.co.nz
PO Box 117, Wellington

1. This memorandum responds to paragraph 19(b) of Direction and Minute WGT002.
2. The Applicant nominates Mr David Sullivan to be involved in the expert conferencing on air dispersion modelling.
3. Mr Sullivan co-authored the air dispersion modelling reports included in the application at appendix 7A and 7B.
4. An outline of Mr Sullivan's qualifications and experience is attached to this memorandum.
5. Mr Sullivan resides and works in America. The Applicant, and Mr Sullivan himself, have a strong preference for Mr Sullivan to be present in person for the conferencing, particularly as it seems likely that most, if not all, other experts will be present. While it would be possible for Mr Sullivan to attend by audio visual link, in his experience that is far less productive in conferencing of this sort, and the Applicant would be concerned that this may at best hinder discussions, and at worst create some imbalance between the experts involved.
6. Mr Sullivan is on annual vacation until 9 December and has commitments that he cannot reschedule on 10 December. He is then available between 11 and 18 December, though this would provide minimal time for him to prepare. He is not available to travel to New Zealand for the balance of December. In January he is available to travel to New Zealand for the weeks of the 20th or 27th. As he is travelling for work for the weeks of 6 and 20 January 2020, his preference would be for the week of 27 January 2020.
7. If the DMC directs that Mr Sullivan is to attend by audio visual link then he is generally available between 11 December and 3 January and in the weeks of 20 and 27 January, though he would need reasonable notice in order to adjust other commitments to create a period of specific availability.


M J Slyfield
Counsel for STIMBR
5 December 2019