

**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

7TH MEMORANDUM OF COUNSEL FOR THE APPLICANT

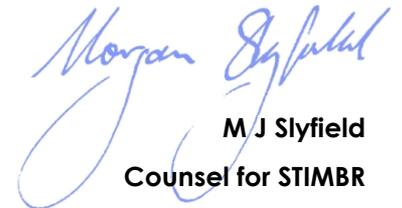
31 January 2020

Counsel Acting
M J Slyfield
Stout Street Chambers

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

1. In its Direction and Minute WGT003 (20 December 2019) the Decision-making Committee requested further information from STIMBR on the lead time the industry would need to achieve compliance if this Reassessment results in the controls proposed in the application.
2. The steps to achieve compliance would be taken primarily by Genera Science and Innovation (**Genera**). Genera undertakes all methyl bromide fumigations of export logs from New Zealand. STIMBR believes Genera is the only entity, worldwide, that has been able to develop a viable recapture technology for logs that has been proven successful under commercial conditions. It is the only entity capable of producing, installing and operating the plant and equipment necessary to comply with the controls proposed in the application.
3. Accordingly, since 20 December 2019 STIMBR has been working closely with Genera, and STIMBR's other experts, to compile the information to respond to the Committee's request.
4. Estimating the lead time requires many factors to be considered, including at least: the recapture technology that is likely to be relied on; how much recapture plant and equipment is already operational; the likely log export volumes for the relevant period, including what proportion of those volumes will be fumigated under tarpaulins; how much plant and equipment in addition to the already operational plant and equipment is needed to achieve recapture on all of those volumes; what allowance for redundancy should be made; what resources are needed to construct, install and operate the total plant and equipment required; and how quickly those resources can be deployed, taking into account any reasonable constraints on materials and labour.
5. Most of this information has now been compiled, and STIMBR expects to complete a document that clearly summarises the information in three more working days, i.e. by the end of Wednesday 5 February 2020. It has not been possible to complete this exercise by 31 January 2020, due in part to the amount of work required, and due in part to the intervening holiday period.
6. In light of this, STIMBR respectfully requests a short extension of the deadline, to enable it to provide the information requested by the Committee by 5pm on Wednesday 5 February 2020.

7. STIMBR submits that this short extension will not prejudice any party, as it is open to the Committee to make a corresponding adjustment to the time allowed for interested parties to comment on the additional information; and this can be achieved without any material impact on the due processing of the application.



M J Slyfield
Counsel for STIMBR
31 January 2020