

# DIRECTION & MINUTE OF THE DECISION-MAKING COMMITTEE

Hazardous Substances and New Organisms Act 1996 (“HSNO Act”)

Application APP203660: modified reassessment of methyl bromide

## Direction & Minute WGT003 of the Decision-making Committee (DMC) – 20 December 2019

1. The DMC has met this week to consider the nominations for expert conferencing as well as to discuss and consider the receipt of the further information requested in WGT002 and any further information required at this stage of the process.

### Expert conferencing

2. Four nominations were received in respect of the expert conferencing set out in WGT002. The DMC has considered these nominations and the supporting evidence provided. While 2 nominations were received later than the deadline, the DMC has decided to allow these nominations to stand in this instance. The 4 experts who will take part in the expert conferencing are:
  - a. David Sullivan (Sullivan Environmental Consulting Inc)
  - b. Aleks Todoroski (Todoroski Air Sciences Ltd)
  - c. Jennifer Barclay (Atmospheric Science Global Ltd)
  - d. Cathy Niewenhuijsen (Golder Associates)
3. From the resumes and information made available to the DMC, we consider that all 4 have sufficient qualifications and/or experience to be considered suitable attendees to the expert conferencing.
4. Details of the expert conferencing are further set out in the Directions.

### Further information request in WGT002

5. The applicant has provided the information requested in WGT002, along with a 4<sup>th</sup> and 5<sup>th</sup> Memorandum of Counsel for the applicant. All of this information has been made publicly available on the website and is being considered by the DMC.

6. Bay of Plenty Regional Council has provided the information requested in WGT002. This information has also been made publicly available on the website and is being considered by the DMC.
7. Genera Ltd has asked for further time to collate and provide the information requested in WGT002. The DMC had agreed that Genera could have until 20 December 2019 to provide the information. Some of this information was provided on 18 December 2019 and this will be made publicly available imminently. The remainder will be made publicly available when it is provided in the New Year.

### Further information request from the applicant

8. The DMC, in considering the information provided by the applicant, and those parties stated above, requires further information in respect of industry's required lead in time for any new recapture control that the DMC may consider in its decision making.
9. The DMC requests that the applicant provide a clear indication of the proposed lead in time for the controls as set out in its original application (that is, how long industry would need in order to be able to comply with the controls proposed in the application). The DMC also requests that the applicant provides clear evidence in respect of this proposed lead in time.

Providing this information by the end of January 2020 will enable other parties to the proceedings to consider and provide information in respect of it before the hearing commences.

### Further information request from Genera

10. In order to facilitate constructive and robust discussion at the expert conferencing, the DMC requests that Genera (as the fumigation operator) provides information on multiple parameters for specific methyl bromide log fumigation events, including parameters such as:
  - a. number of logs
  - b. number of log stacks
  - c. duration of fumigation
  - d. time of day for fumigations and release of methane.

The DMC has attached a form for Genera to complete in respect of this information to this Direction and Minute.

### Directions

11. The DMC directs the following:
  - a. Expert conferencing, the scope of which is set out at paragraph 9 of WGT002 is to take place on 28 January 2020 in person in Wellington.
  - b. The expert conferencing will be facilitated by FairWay Resolution Limited who will provide a written report of the expert conferencing to the DMC and participants in the reassessment after the expert conferencing has concluded. No other parties are to be present at the expert conferencing.
  - c. Pursuant to s58, the DMC requests that the applicant provides the information as set out in paragraphs 8 and 9 above. This information is to be provided by Friday 31 January 2020. If any party wishes to provide information in response to this information, this is to be done by Friday 14 February 2020.

- d. Pursuant to s58, the DMC requests that Genera provide the information as set out in paragraph 10-11 above. This information is to be provided as a matter of urgency, by 24 January 2020 so that it can be reviewed and referred to by the participants to the expert conferencing. The DMC has attached a series of questions for Genera to complete and return to the EPA.
12. The DMC will continue to issue Directions and Minutes as necessary to advise parties to the process of further communications or procedural matters.

**For the Decision-making Committee:**



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**Tipene Wilson**  
**Chairperson**

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**Date 20 December 2019**

**Request for information on fumigation process – for Genera to complete as fumigation operator**

| Item                 | Information requested  |
|----------------------|--|
| Site plans           | Plans showing the locations that are used for fumigation (log piles + ships)   |
| Operating parameters | <p data-bbox="416 456 1315 524"><b>Step by step description of the fumigation process for log piles and ships, including:</b></p> <p data-bbox="416 562 1390 629">Dimension of log piles that are fumigated, volume of log piles and volume of logs in the log pile (average and maximum)</p> <p data-bbox="416 667 922 701">Average dimension of logs within log piles</p> <p data-bbox="416 736 858 770">Photos of log piles during fumigation</p> <p data-bbox="416 806 1171 840">Minimum distance to adjacent log piles undergoing fumigation</p> <p data-bbox="416 875 1358 909">Ventilation release procedure for log piles - time required to remove tarpaulin</p> <p data-bbox="416 945 871 978">Time required for ventilation to occur</p> <p data-bbox="416 1014 815 1048">Time between ventilation events</p> <p data-bbox="416 1084 1342 1117">Dimension of the ships holds undergoing fumigation (average and maximum)</p> <p data-bbox="416 1153 1230 1187">Dimension of the ships used for fumigation (average and maximum)</p> <p data-bbox="416 1223 1369 1290">Quantity (volume) of logs within ship hold and volume of ship hold undergoing fumigation (average and maximum)</p> <p data-bbox="416 1326 1299 1359">Ventilation release procedure for ships - time required to open ship holds</p> <p data-bbox="416 1395 855 1429">Time require for ventilation to occur</p> <p data-bbox="416 1464 1307 1498">Quantities of methyl bromide applied per log pile (average and maximum)</p> <p data-bbox="416 1534 1270 1568">Quantities of methyl bromide applied per ship (average and maximum)</p> <p data-bbox="416 1603 1390 1637">Quantities of methyl bromide used per annum (separately for log piles and ships)</p> <p data-bbox="416 1673 1302 1706">Average duration of fumigation activity (separately for log piles and ships)</p> <p data-bbox="416 1742 1347 1809">Identify varying concentration of methyl bromide with duration of fumigation activity</p> <p data-bbox="416 1845 1362 1951">Fumigation procedure during varying ambient temperatures - does the applied concentration of methyl bromide vary as the temperature changes during fumigation cycle?</p> |

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|---------------------|---|
|                     | Fumigation procedure during low ambient temperatures - e.g. does fumigation occur below 10 degC? Is more fumigant added?  |
|                     | Is heating applied during fumigation?   |
|                     | Does ventilation occur at night?  |
|                     | Frequency of ventilation events by time of day (average and maximum number)   |
|                     | Spread of ventilation events by time of day (average and minimum)   |
|                     | Number of concurrent (and sequential) ventilation events that can occur (average and maximum)   |
| Monitoring data     | All available ambient monitoring data (from 1 January 2014), (including location of the monitor, and all available related data such as location, type, size, dose etc. of ventilation/fumigation occurring at the time of measurement) |
| Meteorological data | All available weather monitoring data (from 1 January 2014) from weather stations in the locality (e.g. BOPRC stations at or near Tauranga) in at least 1-hour average intervals, and preferably in 10-minute average intervals         |
| Other               | Copy of Ajwa permeability testing report referred to in Sullivan modelling reports: Ajwa, H. Tarp permeability testing for Methyl Bromide, Ajwa Analytical Laboratories December 2017   |