

REISSUED APPROVAL

19 July 2019

Summary

Substance	Methyl bromide
Application code	APP203660
Application type	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")
Purpose of the application	To reissue the approval for methyl bromide
Reissue Date	19 July 2019
Considered by	The Chief Executive ¹ of the Environmental Protection Authority ("the EPA")
Decision	Approved for reissue
Approval code	HSR001635
Hazard classifications	2.1.1B, 6.1B (All), 6.1B (I), 6.1C (O), 6.6B, 6.8B, 6.9A (All), 6.9A (I), 6.9A (O), 8.2C, 8.3A, 9.1A (All), 9.1A (F), 9.1B (A), 9.1B (C), 9.2A, 9.3B, 9.4A

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.

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 not further considerations required in order to achieve the purpose of the Act.
- 1.3. I consider it appropriate to reissue HSR001635 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.
- 1.4. 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 30 November 2021.



Environmental
Protection Authority
Te Mana Rauhi Taiao

Signed by:

Date: 19/07/2019

Dr Allan L Freeth

Chief Executive, EPA

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Appendix: Controls applying to methyl bromide

EPA controls

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

HSNO additional controls and modifications to controls for all uses of methyl bromide

Control code	HSNO Act	Control														
TEL	Section 77B	<p>The following tolerable exposure limits in air (TEL_{air}) values apply to methyl bromide.</p> <table border="1"> <thead> <tr> <th rowspan="2">Time period</th> <th colspan="2">TEL_{air}</th> </tr> <tr> <th>ppm</th> <th>mg/m³</th> </tr> </thead> <tbody> <tr> <td>1 hour</td> <td>1</td> <td>3.9</td> </tr> <tr> <td>24 hour</td> <td>0.333</td> <td>1.3</td> </tr> <tr> <td>Chronic (annual average)</td> <td>0.0013</td> <td>0.005</td> </tr> </tbody> </table>	Time period	TEL _{air}		ppm	mg/m ³	1 hour	1	3.9	24 hour	0.333	1.3	Chronic (annual average)	0.0013	0.005
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1 hour	1	3.9														
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HSNO additional controls and modifications to controls for soil fumigation of potato wart uses of methyl bromide

Control code	HSNO Act	Control
Application rate	Section 77 variation to HPC Notice clause 50	The maximum application rate of this substance is 380 grams of methyl bromide per square metre of soil.

HSNO additional controls and modifications to controls for other quarantine and pre-shipment uses of methyl bromide

Control code	HSNO Act	Control
Recapture	Section 77A	<p>(1) Clause (2) takes effect 28 October 2020.</p> <p>(2) A person must not apply methyl bromide unless recapture technology is used.</p> <p>(3) A person who applied methyl bromide in the preceding calendar year must provide a report to ERMA New Zealand by 30 June each year setting out that person's progress in introducing recapture technology.</p>

HSW 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 (HSW) legislation according to the classification of the substance. They are listed here for information purposes only.

Code	Regulation	Description
HSW2-1	Reg 2.1, 2.2	Workplace labelling of HS containers
	Reg 2.2	Labelling of other containers containing hazardous substances
	Reg 2.4	Alternative labelling for stationary tanks, process containers, and transportable containers
HSW2-2	Reg 2.11	Duty of PCBU to obtain and provide access to safety data sheets
HSW2-2	Reg 2.5-2.10	Signage requirements
HSW2-3	Reg 2.11	Duty of PCBU to obtain and provide access to safety data sheet
HSW2-4	Reg 2.12-2.14	Packaging
HSW3-1	Reg 3.1	Inventory
HSW3-2	Reg 3.2-3.3	Managing risks associated with hazardous substances
HSW4-1	Reg 4.1-4.4	Certified handlers
HSW4-2	Reg 4.5-4.6	Information, instruction, training and supervision
HSW5-1	Reg 5.2-5.5	Fire extinguishers
HSW5-2	Reg 5.6-5.13	Emergency response plans
HSW8-1	Reg 8.1-8.2	Compliance certification
HSW8-2	Reg 8.3-8.4	Requirements for public transportation of class 1 to 5 substances
HSW10-1	Reg 10.3	General controls on class 2, 3, and 4 substances
HSW10-2	Reg 10.4	Substances that must be secured
HSW10-3	Reg 10.5	Requirement to segregate class 2, 3, and 4 substances
HSW10-4	Reg 10.6-10.7	Duty of PCBU to establish a hazardous area
HSW10-5	Reg 10.8-10.20	Requirements to prevent unintended ignition of class 2.1.1, 2.1.2 and 3.1 substances
HSW10-10	Reg 10.26	Duty of PCBU to establish hazardous substance location
HSW10-13	Reg 10.34-10.35	Requirement to have compliance certificate if class 2.1.1, 2.1.2, or 3.1 substance present at hazardous substance location
HSW10-15	Reg 10.37	Requirement for transit depot

Code	Regulation	Description
HSW11-1	Part 11	Controls relating to adverse effects of unintended ignition of class 2 and 3.1 substances
HSW13-2	Reg 13.7	Duty of PCBU who directs work using class 6, 8.1, 8.2, or 8.3 substances to ensure equipment is appropriate
HSW13-3	Reg 13.8	Duty of PCBU who directs work using class 6 and 8 substances to ensure personal protective equipment used
HSW13-9	Reg 13.18	Duty of PCBU to ensure prescribed exposure standards for class 6 substances not exceeded
HSW13-13	Reg 13.26-13.29, 13.35-13.37	Storage and segregation of certain class 6 or 8 substances
HSW13-15	Reg 13.34, 13.38-13.39	Duty of PCBU to establish hazardous substance location and compliance certificate requirements where certain class 6 or 8 substances present
HSW13-16	Reg 13.40-13.44	Separation of hazardous substance locations holding certain class 6 and 8 substances
HSW13-17	Reg 13.45	Additional emergency management requirements
HSW14-1	Part 14	Fumigants
	Reg 14.6	Licence required for possession of fumigant
	Reg 14.7, 14.8 and SWI14-1	Notification for intended fumigation
	Reg 14.10 and SWI14-1	PBCU must erect signs
	Reg 14.11	Shipping container under fumigation must not be moved
	Reg 14.13 and 14.14	Must not leak fumigants
	Reg 14.33	Restriction on fumigation
	Reg 14.34	Requirement to secure place where fumigation carried out
	Reg 14.35	Requirement to keep records
	Reg 14.36	Record of 1-hour and 24-hour exposure levels
HSW14-1	Reg 14.37	Annual monitoring report
	Reg 14.38	Minimum buffer zones

Code	Regulation	Description
	Reg 14.40	Requirement for sheets
	Reg 14.41	Application of methyl bromide by authorised person only
	Reg 14.42	Duty of PCBU to use sheets for soil fumigation for potato wart
HSW15-1	Part 15	Requirements for gases under pressure
HSW16-1	Part 16	Requirements for tank wagons and transportable containers
HSW17-1	Part 17	Stationary container systems
HSW19-1	Part 19	Tracking hazardous substances
SWI14-1		Health and Safety at Work (Hazardous Substances—Modified Requirements for Specified Fumigants) Safe Work Instrument 2017

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