

Monday 12 April 2021

Dear EPA staff,

Please pass this email on to the Decision Making Committee (DMC). We consider it contains important information to help them make informed decisions on the reassessment of methyl bromide.

The Bay of Plenty Regional Council has identified a number of matters in the recent [WorkSafe commissioned reports](#) prepared by [AirMatters](#) and [PDP](#), and also the [EPA update report](#) which require further comment.

1. While we commend WorkSafe for undertaking air sampling work it did require the participation and full knowledge of the fumigator so may not be representative of typical fumigation practice – this should be acknowledged in the report.
2. The size of the log fumigation events summarised in the AirMatter's report which were reported separately as AirMatters interim reports 12-20 are relatively small compared to normal practise, with six single low row events and one double log row ventilation monitored. This also calls into question just how representative of typical fumigation practise the results are.
3. In the WorkSafe studies there is no assessment of Port worker safety, despite some very elevated readings of methyl bromide in the atmosphere at the Port. For example, the 7 May event reported by PDP (table 2) recorded an instantaneous reading of over 60ppm at 65m from the fumigation. The WorkSafe document '[Workplace exposure standards and biological indices](#)' states that where there is no WES-STEL provided "*under no circumstances should (levels) exceed five times the value of the WES-TWA*" (i.e. 25ppm for methyl bromide).
4. We are concerned that some last minute air dispersion modelling ([Golder, 2021](#)) provided by the applicant has not been reviewed by an independent expert (as stated by the EPA, s4.13) and yet significant portions have been incorporated into the EPA report, for example tables 2, 3, 4, 12, 13, 14 and 15. We believe this report should not be cited at all without first being thoroughly peer reviewed.
5. The EPA report states the TAS modelling used throughout its report was based on advice that "the Port (of Tauranga) is restricted to operating hours between 7am and 7pm." (s4.4 and s7.20). The fumigator recently reported to us ventilation occurring as late as 9.30pm, casting doubt on the validity of that assumption.
6. All AirMatters monitoring reports 12-20 (summarised in '[WorkSafe Methyl Bromide Final Summary Report 21004](#)') state that "*...met data is provided in a separate document*" (as a footnote to table 1) however this has not been made publicly available. Therefore there is no ability to determine the extent to which the monitor locations corresponded to a downwind location.
7. As mentioned in the EPA report "*BOPRC requested clearer and more enforceable controls in their written submissions and presentations to the hearing.*" Accordingly we are very concerned that there has been no mention of requiring a maximum concentration of methyl bromide under the tarpaulin before venting in order to make verifying compliance possible. Unless concentrations under tarpaulins at venting match what was modelled then the actual air concentrations of methyl bromide may be much higher than predicted.

8. We fully support the EPA's comment in s9.2 that "*... additional controls (are) required to ensure that operational practice match(ed) the risk conclusions of the modelling*" (refer our comments above about the size of fumigation events, speed of release, and timings of ventilation) and the several comments about "*difficulties for agencies to monitor compliance...and consequently to enforce...*" for a range of possible controls.

We would be happy to provide more information about the above comments if required.

Kind regards,

Bay of Plenty Regional Council Toi Moana

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Thriving together – mō te taiao, mō ngā tāngata
