

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

**APP203660**

<b>Under</b>	the Hazardous Substances and New Organisms Act 1996
<b>In the matter of</b>	the modified reassessment of methyl bromide
<b>By</b>	<b>Stakeholders in Methyl Bromide Reduction Inc</b>  Applicant

---

**STATEMENT OF EVIDENCE OF IAN ROBERT GEAR**  
**27 JULY 2020**

---

---

**Counsel Acting**  
M J Slyfield  
Stout Street Chambers  
  
(04) 915 9277  
morgan.slyfield@stoutstreet.co.nz  
PO Box 117, Wellington

## INTRODUCTION

1. My full name is Ian Robert Gear.
2. I am a consultant specializing in directing and managing biosecurity responses and comprehensive research programmes and science communication.
3. I have a Bachelor of Horticultural Science and Diploma in Parks and Recreation Administration, both awarded in 1976, from Lincoln University.
4. My career in primary industry has included roles in research, education, production, biosecurity and consultancy. I was the project director of the painted apple moth project for MPI and managed several significant biosecurity responses. Since 2006 I have provided consultancy services to primary industry clients and government agencies.
5. I believe that engagement with Iwi Maori is an integral part of much of the work required in primary industry, biosecurity and environmental projects. Throughout my career I have been a strong advocate of the need for effective engagement with Iwi Maori and key stakeholders.
6. The Stakeholders in Methyl Bromide Reduction Incorporated (STIMBR) is one of my clients. I am the executive officer/ research director of STIMBR and have held this position since January 2011. This role includes sourcing funding for and directing a significant research programme seeking alternatives to the fumigant methyl bromide and stakeholder management.
7. As STIMBR's Executive officer I am familiar with all aspects of STIMBR's application to the EPA seeking a modified reassessment (Modified Reassessment) that is presently being processed by the EPA. I am also familiar with the research outputs and how they may be best used to achieve the vision of reduced reliance on the use of methyl bromide.
8. I am authorised to give this evidence on behalf of STIMBR concerning STIMBR's engagement with Iwi as part of the Methyl bromide modified reassessment application.

## **CONSULTATION AND ENGAGEMENT**

### **Previous records of consultation**

9. A record of all consultation undertaken, and processes in place for future engagement was provided by STIMBR to the EPA on 28 June 2019 in response to a request for further information.<sup>1</sup> That record forms part of my evidence and I confirm its contents.
10. In summary, the cultural concerns raised in 2010 remain and have not changed over the last decade. As recorded, representatives of the Tauranga iwi and hapu, Ngāi Tahu and Ngāpuhi iwi met with STIMBR and said that they would work through the issues in the EPA forum.
11. Participants in the engagement meetings saw the meetings as the beginning of a relationship between STIMBR and iwi and hapu that will continue through the submission and hearing process for the reassessment of methyl bromide.
12. Those attending meetings in Tauranga noted that the meetings regarding the methyl bromide reassessment process cemented the engagement relationship initiated for the EDN assessment.

### **Positon of Ngāpuhi HSNO Komiti**

13. On 19 August 2019, Dr Jack Armstrong and I met with the Ngāpuhi HSNO Komiti to continue discussions I had commenced at a meeting in Wellington with two members of the komiti on 17 June 2019.
14. The Komiti advised that after much deliberation they had determined that they would not be making a submission in lieu of the request that I report their concerns to the EPA Decision Making Committee. A report documenting their concerns was filed with the EPA. I have been unable to locate that report within the materials published on the EPA's website, so for completeness I repeat the relevant matters here.
15. Bryce Smith provided us with an understanding of the role of Matauranga Māori in the discussions, considerations and decisions of those with an interest in the methyl bromide reassessment process and in particular the Decision-making committee. Explaining the relationships of Mana Whenua, Mana

---

<sup>1</sup> Memorandum to Ian Gear from Keith Frentz, 25 June 2019.

Moana and Mana Atua and the deities Tane Mahuta, Tangaroa and Tawhirimatea, he described the role of the Ngāpuhi HSNO Komiti in championing Mātauranga Māori and the complementary role taken by Ngai Tahu when making submissions to the EPA.

16. The following notes summarise the korero:

- (a) The initial response of the Komiti was that the EPA had given 10 years for the MB users to meet the controls determined in 2010 so why should more time be granted?
- (b) Over the weeks following the first meeting in Wellington, the Komiti considered that:
  - (i) MB is a toxic substance that needs to be managed carefully when used.
  - (ii) New Zealand is bound by an international agreement, the Montreal Protocol.
  - (iii) There are significant challenges in particular relating to ship hold recapture that require further time to resolve if possible.
- (c) The Komiti further noted:
  - (i) Their expressed concern that the 2010 decision regarding recapturing down to a concentration of 5 ppm was flawed.
  - (ii) That research has identified that lower rates of MB are efficacious and there is now the potential to lower MB treatment rates subject to trading partner agreement.
  - (iii) That industry is committed to identify sustainable recapture processes.
  - (iv) That the komiti oppose the disposal of harmful waste/effluent (e.g., carbon saturated with MB from recapture equipment). Burial of MB-saturated carbon is unacceptable.
  - (v) And that they acknowledge and support the industry stance in seeking sustainable recapture/destruction solutions.

- (d) The Komiti expressed concern regarding the slow progress regarding the approval process for alternatives i.e. ethanedinitrile. They underscored their concern that alternatives must be given priority for introduction and that delays in approval result in prolonging the need for MB to be used in large volumes.
- (e) The Komiti welcomed the use of non-chemical treatments (e.g., Joule heating) that support government initiatives such as the 1 Billion Trees Programme and timber processing in New Zealand, particularly when there is the potential to power Joule heating systems with sustainable energy sources.
- (f) The Komiti considers that the transferred risk from tree grower to the port environs is an on-going concern. There is a reasonable expectation that jobs will be made available to those in other rohe that reap the benefits of the transferred risk.
- (g) The conversation concluded noting that the komiti understands the need for and consequently supports the need for a reassessment subject to the caveats described below.

17. The Ngāpuhi HSNO Komiti asked that the following messages be conveyed to the following parties:

*To Government/Agencies/Regional Councils*

- There is a need to speed the process of introducing viable alternatives to MB.

*To the EPA Decision making committee*

- The issues with hazardous substances are operational – therefore there is the need for fit-for-purpose controls.

*Messages to STIMBR / FOA*

- The relationship with Nga Puhi HSNO Komiti is held with Dr Jack Armstrong and Ian Gear.
- The Komiti seeks to know where are the successors to Jack Armstrong and Ian Gear?

- The Komiti has an expectation that Jack and Ian will see out the life of any extension to the MB controls and that industry will ensure that they will be available to provide guidance to their respective successors.
- If are not to be available, the Komiti wants to meet their successors to both know them personally and to be assured that these successors will be involved going forward.
- That the New Zealand Forest Owners Association established scholarships for Tangata Whenua (defined by the committee as those born in Aotearoa – New Zealand) that will increase the skill/knowledge base in forestry/wood processing/phytosanitary treatments/environmental protection.

18. The Komiti asked that the following be conveyed to the EPA, in general, and specifically to the Decision-making Committee:

Controls must be informed by Maturanga Maori and science to ensure that any deleterious effects to the environment, land, sea and air are appropriately mitigated and that the consequences of any known risks are reduced accordingly.

- (a) The industry is to ensure Maturanga Maori research is undertaken for unknown risks.
- (b) Controls requiring commitment by government and industry to on-going research are vital.
- (c) Any extension(s) in time will be limited to no more than 10 years; and in the instance of Ngai Tahu, 5 years.
- (d) In the event that extensions are granted, there will be a requirement for biennial review led by the Ministry for the Environment whereby Crown and Maori participation along with STIMBR is required.
- (e) Government and industry will work together co-operatively in a supportive environment.

## **Submissions**

19. For completeness, I note that submissions have subsequently been filed by a number of parties who raise cultural concerns:

127539	The Lake Taupo and Lake Rotoaira Forest Trusts
127544	Te Runanga o Ngai Tahu
127549	Patuharakeke Te Iwi trust
127550	Ngai Te Rangi Iwi Runanga

**IAN ROBERT GEAR**  
27 July 2020