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**From:** Sam Weiss <[REDACTED]>  
**Sent:** Thursday, 5 November 2020 10:07 am  
**To:** Reassessments  
**Cc:** [REDACTED]  
**Subject:** Comment on additional deadline waiver – STIMBR – methyl bromide fumigation

**Importance:** High

### To the Decision Making Committee (DMC)

Thank you for the opportunity to comment on the application by the 'Stakeholders in Methyl Bromide Reduction' (STIMBR, the applicant) dated 21 October 2020 for a further waiver of the timeframe of April 2020 until 28 October 2021 before recapture of methyl bromide is required.

We make the following points:

1. On the positive side:
  - a) it is important that the industry and export markets have as much certainty as possible, and commercial risk is a valid consideration.
  - b) we recognise that any decision on this application is subordinate to the decision reached in the substantive reassessment, although if the arguments for this further extension are accepted it is likely to influence that.
2. On the negative side:
  - a) the applicant has not adequately demonstrated the need for this deferral in either their main application entitled the '21st Memorandum of Counsel for the Applicant' or in the referenced document ('13th Memorandum of Counsel for the Applicant') where supposedly these issues "were described in detail". The basis of the application seems to be that if log exports cease following the DMC decision to impose a date beyond which methyl bromide recapture is required then "the lack of an ongoing trade relationship may put at risk the payments that fall due under letters of credit beyond that date." It is not at all clear why that should be the case.
  - b) the main NZ fumigator (Genera) has clearly shown over a number of years that they are capable of consistently achieving relatively high recapture rates for logs under tarpaulins (up to 80% recapture in the most recent tests). Despite this STIMBR in their revised reassessment application proposed only a 30% recapture figure. The Bay of Plenty Regional Council does not believe the industry should continue venting methyl bromide without any recapture whatsoever as it is reasonable and practicable to do so now. If a further time extension is to be granted it must be as a stepping stone towards the highest practicable level of recapture achievable.
  - c) Council is opposed to ship fumigation within close proximity to the public due to the results of recent independent air dispersion modelling and monitoring results obtained during methyl bromide release from a ship at the Port of Tauranga. Until STIMBR can demonstrate that the public are adequately protected during ventilation of methyl bromide, no further ship fumigation without recapture should be permitted.
  - d) the applicant states that the requested extension would simply be continuing the status quo (i.e. methyl bromide fumigation without any mandated requirement for recapture). This statement ignores the fact that the October 2010 reassessment required that "10 years from the date of this decision, all methyl bromide fumigations are to be subject to recapture" (s.1.1.31). All expectations since 2010 were that there would be no methyl bromide fumigation occurring

without recapture from October 2020. The 2010 reassessment decision explicitly recognised that “the requirement for the introduction of recapture technology over the next 10 years will also mitigate community concerns” (s.12.7.41).

<sup>1</sup> <https://www.epa.govt.nz/assets/FileAPI/hsno-ar/HRC08002/59ff5b37d7/HRC08002-Methyl-Bromide-amended-decision-17-June-2011.pdf>

Yours sincerely,

**Sam Weiss**

[REDACTED] of:

**Bay of Plenty Regional Council Toi Moana**

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*Thriving together – mō te taiao, mō ngā tāngata*

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**From:** Reassessments <[Reassessments@epa.govt.nz](mailto:Reassessments@epa.govt.nz)>

**Sent:** Thursday, 29 October 2020 1:36 pm

**To:** Reassessments <[Reassessments@epa.govt.nz](mailto:Reassessments@epa.govt.nz)>

**Subject:** New documents published -Methyl Bromide 29Oct20

Kia ora,

The applicant for the reassessment of methyl bromide, in the 21st Memorandum of Counsel, has applied for a waiver of the deadline when the recapture controls must be complied with, whilst the reassessment continues. The DMC is seeking comments from submitters to the reassessment on whether the waiver, if granted, would create any undue prejudice, and asking submitters to provide comments on the waiver application.

Comments, related to this waiver and not the substantive reassessment, must be sent to the EPA ([reassessments@epa.govt.nz](mailto:reassessments@epa.govt.nz)) by 5 pm on 5 November 2020.

This information is now available on our website.

[Direction and Minute \(WGT025\)](#)

[21<sup>ST</sup> Memorandum of Counsel](#)

Ngā mihi nui

[REDACTED]



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