

Environmental Protection Authority
Private Bag 63002
Wellington 6140
New Zealand

5 November 2020

Application APP203660: modified reassessment of methyl bromide

Direction & Minute WGT025 of the Decision-making Committee (DMC) – 29 October 2020

Soil & Health Association of NZ comment:

Kia ora koutou

A waiver, if granted, will prejudice;

- a) The Soil & Health Association of NZ (Soil & Health) by further increasing delay to positive change and reduction in methyl bromide discharge, and need for extended advocacy,
- b) the communities we advocate for, that are close to the methyl bromide discharges,
- c) the greater environment and humanity through the contribution of methyl bromide to the ozone hole, an area for which we have also provided expert evidence.

Every waiver or delay in stopping methyl bromide discharge or, as a compromise, of implementing recapture of residual methyl bromide fumigant, flies in the face of natural justice and requires further advocacy. The forest product export industry represented by STIMBR, in particular, had considerable time to implement or adapt available recapture technology, but has obfuscated progress to meet the October 2020 'deadline.'

Waivers and delays appear to be a means to extend the cheaper status quo of releasing methyl bromide to the atmosphere. The cost to the greater community and environment from continued release of methyl bromide into the atmosphere beyond 2010, and then the October 2020 'deadline' are difficult to establish, but the reality of harm to the health of people and atmospheric ozone is known, and is why reduction in methyl bromide use or discharge is sought internationally and in Aotearoa New Zealand.

The risk of financial loss by industry may have been accepted by the DMC, in regards the letters of credit for log exports to India, however Soil & Health submits that is an issue for industry regardless the EPA reassessment and shows a prejudice towards the short term economic benefit of industry, rather than the safety of the greater public and environment.

Industry may need to adapt quickly should the EPA Reassessment DMC and Worksafe decide on measures that predicate recapture of residual methyl bromide, or a discontinuance of its use. Instead of adapting to a recapture necessity ahead of that, industry seeks yet another waiver or delay. Soil & Health is not suggesting that logs to be exported to India should not be fumigated with methyl bromide at this time, but that industry adapt to the need to recapture immediately.

A waiver prejudices against Soil & Health and the broader community by allowing the status quo for an extended time and, should this waiver be granted, an apparent bias by the EPA towards

continued acceptance of short-term economic benefits as the priority. Soil & Health and fellow community organisations, workers, their families and widows, and the broader environment, have observed economic interests lead on this issue for well more than the 10 year period of grace that industry was given in 2010.

Soil & Health has previously submitted on the possible ultra-vires nature of granting industry a reassessment when the justification for it, an increase in methyl bromide use, was already known and flagged by industry at the 2010 reassessment of methyl bromide. Continued waivers maintain the feeling of injustice.

Soil & Health want the application by STIMBR for a further waiver to be declined.

Yours sincerely

Steffan Browning

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