

From: [REDACTED]  
Sent: Saturday, 13 June 2020 9:58 p.m.  
To: Reassessments  
Subject: RE: New documents published for Methyl Bromide 2 June 2020

Response to industries call for a waiver of the time frame for recapture.  
13. 6. 2020

No, absolutely not ! the industry has known of this deadline for 10 yrs and in their arrogance have done nothing to develop Recapture technology, they have remained convinced that they would be able to apply enough political pressure to overturn the directive to recapture.

This is just another ploy, talking about letters of credit, the industry submits that it cannot meet the current recapture control due to come into force on 28th October. So again they have made No Effort to comply ! after being granted 10 yrs grace !!! They do not deserve a bail out .

Knowing full well about the reassessment time frame they should not of accepted letters of credit, not knowing what the decision will be , they should have been straight up with their clients . This memorandum is like a form of legal blackmail , putting pressure on the adjudicators, appealing for " Fair Play ! "

This industry is pathetic, acting out of arrogance with a very real disregard of due process, relying instead on the "Old Boys network, " to allow them to return to status quo.

I have no doubt that if the National party was in power, the ministers would of put pressure on the EPA to overturn the original reassessment, thank fully we have a Labour Government that has a much more social conscience.

We campaigned for 10 yrs to get the EPA to make a decision , and were extremely disappointed when the panel degreed that in the interests of fairness that the industry should be allowed 10 yrs to develop Recapture technology. We argued that our wharf workers, loader drivers and seamen right for healthy, fresh, clean air should be put ahead of industry profits.

We naively thought that that decision was full and final and are shocked and dismayed that now 10 yrs latter it is being reassessed again, this moratorium is yet another twist in this process that seems to be disturbingly weighed in industries favour.

It reminds me of a korero I once had with an environment officer of a forestry company, he said

forestry works with the adage that it is "Far better to ask for forgiveness than it is to ask for permission. "  
how right he was, that was 20 yrs ago and the safe guards to protect the environment and workers health along with the health of our communities adjacent to log yards is no better now than it was then.  
We have had to wait 10 yrs for recapture of Methyl bromide and we are still being dicked around by this archaic process.

In the Port of Picton we had 7 people contract cancer from only 3 houses in Shakespear Bay, ( during the 10 yrs we were campaigning for Recapture and 3 of my friends, big fit and strong fellers who were loader drivers , died one after the other from cancer .)  
This evil process must stop ! you must put the health and safety of our workers , community and environment ahead of industry profits.

Question that needs to be at the forefront of your minds is, What do the industry plan to do when EPA rule in favour of its original decision and insist on Recapture. Because they have completely disregarded the EPA ruling and have no equipment ready to go, what will they do then in regards to their letters of credit.

Follow your conscience , do the right thing.

Noho Ora Mai,  
Pete Beech,  
Guardians of the Sounds.

From: Reassessments <Reassessments@epa.govt.nz>  
Sent: Tuesday, 2 June 2020 4:45 pm  
To: Undisclosed recipients:  
Subject: New documents published for Methyl Bromide 2 June 2020

To the submitters on the modified reassessment of methyl bromide

The applicant for the modified reassessment of methyl bromide has submitted an application for a waiver of the time frame for recapture. The basis for the application for the waiver of the recapture deadline relates to the reliance of industry on irrevocable letters of credit in order to continue exporting logs to India which requires these logs to be treated with methyl bromide before importation. As there is currently uncertainty around the 28 October 2020 recapture deadline due to the current reassessment, and the applicant submits that industry cannot meet the current recapture control that is due to come into force on 28 October. The applicant is seeking to ensure that exports to India remain certain prior to 28 October and beyond,

by extending the recapture deadline by 6 months in order for a decision on the reassessment to be reached.

The 9th memorandum of Counsel and the 13th memorandum of Counsel and the affidavit

accompanying it provides further information in relation to this issue.

The advice from the EPA on 26

March sets out the legal basis for the consideration of such an application and the process which the

Decision-making Committee (DMC) will need to follow.

In response the DMC has issued a 13th Direction and Minute (WGT013) which outlines the process for

consideration of the application and directs the next steps for the Environmental Protection Authority

(EPA), applicant and other parties to this application.

Under this direction we are circulating the 13th memorandum of counsel and the direction and minute

to submitters to provide the opportunity to comment on this waiver application by 5pm on 16 June

2020.

We would highlight to all parties that the waiver application is supplementary to the reassessment

process which will continue as per the current time line and following the statutory process set out in

the HSNO Act. Any decision on the reassessment would take precedence over the waiver application

such that if a different timeframe is set in the reassessment this would take effect and the waiver would

no longer apply. We would also emphasise that this is not an opportunity to provide further information

in respect of the substantive reassessment.

Further information on the reassessment can be found in the attached Direction and Minute (WGT013).

Kind regards,

██████████

██████████, Hazardous Substances Applications

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