



# Direction and Minute of the Decision-making Committee

## Hazardous Substances and New Organisms Act 1996 (“HSNO Act”)

### Application APP203974: Reassessment of hydrogen cyanamide

## Direction & Minute WGT001 of the Decision-making Committee (DMC) – 22 October 2021

### Background

1. The reassessment application for hydrogen cyanamide was prepared by the EPA and formally received on 20 September 2021. The reassessment application was published on the EPA website and opened for public submissions on 30 September 2021.
2. The HSNO Act specifies that the EPA shall allow 30 working days from the date of public notification for the receipt of submissions (section 59(1)(c)). Section 59(5) allows the EPA to extend any time limit under the HSNO Act subject to s59(4).
3. For the reassessment of hydrogen cyanamide, the EPA initially extended the submission period to 40 working days to allow for any additional delays or difficulties faced by submitters in view of changing Covid-19 alert levels. Therefore, the deadline for making submissions was 26 November 2021.

### Requests to extend submission period

4. A request for a further extension to the submission period was received on 4 October 2021 from the chemical supplier/manufacturer Nufarm. The reasons provided were that Nufarm needed to work with their overseas supplier on reviewing the application documents and preparing their submission, and that the toxicologists needed sufficient time to do this. An extension to 20 December 2021 was requested.
5. An additional request for an extension to the submission period was received on 5 October 2021 from the kiwifruit industry body Zespri. The reasons provided were that they needed to engage independent consultants to assist them in making a full and complete submission, and that those consultants’ availability meant that they were

unable to meet the current deadline of 26 November 2021. Again, an extension to 20 December 2021 was requested.

### Consideration

6. The Decision-making Committee (DMC) met on 18 October 2021 to discuss the requests.
7. The DMC considered that granting the extension requests would allow the potential submitters additional time to prepare their detailed submissions. This would provide the DMC with more evidence and ensure they were as fully informed as possible in advance of the hearing.
8. The DMC considered that other submitters would not be unduly prejudiced because the extension requested was relatively short. Since the extension would apply to the submission period deadline, rather than to specific individuals or companies, it may also be helpful in providing additional time to other potential submitters.

### Directions

9. The DMC directs the following:
  - a. the time period for making submissions on the application under section 59(1)(c) of the HSNO Act is extended by an additional 16 working days to a total of 56 working days from public notification,
  - b. the new deadline for making submissions is **5pm on 20 December 2021**.

### For the Decision-making Committee:

	22 October 2021
<b>Dr Louise Malone</b> <b>Chair, Decision-making Committee</b> <b>Environmental Protection Authority</b>	<b>Date</b>