

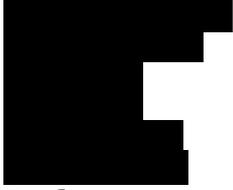
# Your submission to APP203974 - reassessment of hydrogen cyanamide

Duncan Ross, **Duncan Ross and Heather Adams (Duncan Ross)**

Submission no: 127804

Ref no: 115

MOP no: n/a



**Reference no: 115**

**Clause**

What is your position on the proposals set out in the reassessment application? Please outline your reasons in the text box below.

**Position**

I support the application

**Notes**

We support the banning but not the 5 year phasing out

**Clause**

All submissions are taken into account by the decision makers. In addition, please indicate whether or not you also wish to speak at a hearing if one is held.

**Position**

Yes I wish to speak about my submission at the hearing

**Notes**

Possibly, as we have no idea how this could be managed

Supporting documents from your Submission

Hi\_cane\_assessment.pdf

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To operate a motor vehicle in New Zealand (and almost any where else) a driver needs to pass a theoretical and practical test to gain a licence. The manufactures and sellers of motor vehicles also have many rules to follow. There are many traffic rules and regulations but society does not rely on these alone to keep us safe, there is quite vigorous, proactive monitoring and enforcement of these rules, (police, cameras, radar, warning signs, road design and the like) indeed there are regular television programs high-lighting such enforcement and yet there are still some (a minority) who deliberately break these rules for their own ends as well as some who in spite of being licenced, break the rules, through ignorance or incompetence, as well as those who make mistakes as part of being human. Self regulation is not enough. Traffic enforcement, although it takes heed of reports from the public reports, does not rely on them.

There are regulations for the use of potentially dangerous chemicals in NZ and many of these chemicals are restricted to commercial uses, this is big red flag for self regulation as it must always produce the possibility for conflicts of interest.

A huge difference between the use of vehicles and toxic chemicals is that the misuse of vehicles is usually more obvious, while the dangers of some toxic chemicals can be slow to be realised, complicated by multiple variables, difficult to understand, and almost invisible without long and expensive research financed independently on a scale at least comparable to the manufacture of said chemicals. In work that involves ionizing radiation (X rays and radioactivity) as well as a host regulations, Dosimeters (that measure the amount of actual exposure received) are used and so monitor the real dose, it would be excellent if something parallel could be developed for some industrial/agricultural chemicals, just as already exist for some drugs.

To be any real use rules and regulations have to be enforceable and enforced, our recent involvement in the Environment Court taught us (four retired persons and one who worked from home, the only members of the public able to attend) why and how self regulation will not work, our position was attacked with “reverse sensitivity”, when we gave instances of bad practice they were dismissed as “a rouge operator”, agreements were later withdrawn, suggested mitigations for spray drift such as keeping washing, children, and pets inside, closing windows, disconnecting roof rain water collection and not collecting garden produce until after flushing by rain; were all our responsibility(not the applicator’s) as well as often being completely impracticable; we felt played. We (four retired persons and one who worked from home) were up against lawyers regularly working for their industry organisations. There were representatives and lawyers from several public bodies but we felt that they may have been constrained by producer aligned people in those bodies, even so we thought and hoped that our (modest) presence did help with our concerns.

It seems to us that regulations that are not enforceable and enforced are a waste of time, that an important part of any useful regulation system is enforcement. Our experience in making complaints about breaches of regulations, is that we were usually in an impossible situation, asked to produce evidence after the fact when we may have witnessed only the result and have not any technical expertise in collecting evidence. It is bad enough in the case of dramatic acute poisoning but impossible in the low level chronic poisoning (possibly over years) when we are likely not to have any knowledge about the what, when, where or who. A problem for us is that the local District Council have told us, when we have complained about non-compliance, they monitor compliance, by the number of complaints; what would one expect would happen to the number of complaints when the complaints seem to be futile? The lessons of Rachel Carson’s 1962 Silent Spring have still to be learned by some.

Well financed, independent, aggressive, authoritative monitoring is needed for two reasons,  
1 To catch the “rogue operators” that “self regulation” does not catch.

2 To see that the regulations are fit for purpose, i.e. that they do indeed result in the desired protection, to the environment and the people in it, that they are intended to give.

In the instance of hydrogen-cyanamide-reassessment which has already been banned in better funded jurisdictions than NZ we think it should be banned here too, the suggestion is that another five years grace is being given for purely commercial reasons, is rather alarming.