

# Official Information Act Request

## Requester's details

**Date:** 23 April 2021

**Name:** [REDACTED]

**Job title:** Reporter

**Organisation:** Radio New Zealand

**Email:** [REDACTED]@rnz.co.nz

**Reference number:** ENQ-41179-G8M3R9

Dear [REDACTED]

Thank you for your request received on 16 March 2021 and refined on 25 March 2021 for the following information:

“The decision memorandums and notification forms for the applications for permits to export spent cell liner from Tiwai point in 2018, 2019, 2020 and 2021.

Has any request come to the EPA that is or could be actionable under its new RMA powers as of July 2020, re SCL or re Tiwai Pt smelter operations of other kinds eg a request from Enviro Southland for help”

## Decision memoranda and notification forms

The Environmental Protection Authority (EPA) has received five applications for the export of spent cell liner from New Zealand Aluminium Smelters since 2018. Application NZ 023/18 was withdrawn by the applicant prior to a permit being granted. The EPA has not received any applications for permits to export spent cell liner from Tiwai Point in 2021.

The following documents are provided for 2018, 2019 and 2020.

1. NZ 023/18 – Notification form
2. NZ 023/18 – Decision memorandum
3. NZ 025/18 – Notification form
4. NZ 025/18 – Decision memorandum
5. NZ 033/18 – Notification form
6. NZ 033/18 – Decision memorandum
7. NZ 038/19 – Notification form
8. NZ 038/19 – Decision memorandum
9. NZ 004/20 – Notification form

## 10. NZ 004/20 – Decision memorandum

Some of the documents provided to you are not in a fully searchable format. This is because the documents were signed by hand and subsequently scanned into our filing system. We have endeavoured to make these documents as accessible as possible.

Some information has been withheld from the notification forms and decision memoranda under section 9(2)(a) of the Official Information Act 1982 (OIA) to protect the privacy of natural persons other than employees of the EPA and under section 9(2)(b)(ii) because the release of the information would be likely to unreasonably prejudice the commercial position of the person who supplied it and under section 9(2)(b)(i) to protect information where the making available of the information would disclose a trade secret.

The application process for a permit to export hazardous waste generally takes 30 to 80 working days. A copy of the application and supporting documents is sent to all Competent Authorities (CA) along the shipping route and at the final destination. We consult with the relevant CAs on the application and they may require more information from the applicant before they consent to the waste stopping in one of their ports. Once all the CAs have consented, we make the final decision about issuing the permit for the export of hazardous waste. The more CAs we need to consult with, the longer the application process is likely to take. Issued permits will include conditions from the EPA and other CAs if applicable, however the conditions from other CAs are not included as a list on our permit.

## Resource Management Act

The EPA has not received any requests for assistance with our new powers under the Resource Management Act 1991 (RMA) from Environment Southland regarding spent cell liner or Tiwai Point smelter operations.

The EPA has been in contact with all councils to inform them of our new powers under the RMA. We are working towards building stronger partnerships with local government to assist with building capability and providing support with compliance, monitoring and enforcement activities. We have encouraged councils to contact us if they require assistance. If requested we can provide support such as helping councils with their investigations, peer reviewing their investigations and interviewing witnesses in relation to an incident.

You have the right to seek an investigation and review by the Ombudsman of this decision. You can contact the Ombudsman on 0800 802 602, or by email at [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)

If you have any further queries, please do not hesitate to contact us via [ministerials@epa.govt.nz](mailto:ministerials@epa.govt.nz)

We will publish your request and our response on our website, [www.epa.govt.nz](http://www.epa.govt.nz), within 10 working days from today. We make OIA responses available so others can read more about the work we do and the questions we are asked. Any information that might identify you will be removed to protect your privacy.

Yours sincerely

A handwritten signature in blue ink that reads "SQuayle". The signature is written in a cursive, flowing style.

Siobhan Quayle  
Group General Manager,  
**Regulatory Systems and Operations**