

ENQ-38236-J0Q6R1

Date: 10 Mar '20

Via: [REDACTED]@gmail.com

Private Bag 632  
Wellington 6140, New ZealandLevel 10, Grant Thornton House  
215 Lambton Quay  
Wellington 6011, New Zealandepa.govt.nz  
+64 4 916 2426**Official Information Act Request**

Dear [REDACTED]

I refer to your request to the Environmental Protection Authority (EPA), received on 2 March 2020, for the following information:

1. *Please advise me, is a warranted HSNO Enforcement Officer required to be present at an aerial VTA operation? Please quote the statute that governs this.*
2. *If a HSNO Enforcement Officer is not required to be present at an aerial VTA operation, who is responsible for ensuring that the permission conditions are adhered to?*
3. *Please quote the statute that governs oversight of aerial VTA operations.*

Your request has been treated as a request for information under the Official Information Act 1982 (OIA). Please find, below, our response to each part of your request.

**1. Is a warranted HSNO Enforcement Officer required to be present at an aerial VTA operation?**

A warranted HSNO Enforcement Officer is not required to be present at aerial Vertebrate Toxic Agent (VTA) operations.

**2. Who is responsible for ensuring that the permission conditions are adhered to?**

Under section 95A of the Hazardous Substances and New Organisms Act 1996 (the HSNO Act), the Environmental Protection Authority (EPA) may grant permission to someone to use a hazardous substance. This person is responsible for ensuring that the permission conditions are adhered to.

**3. Please quote the statute that governs oversight of aerial VTA operations.**

Under section 77A of the HSNO Act, the EPA has placed additional controls over the aerial application of cereal based pellets containing 1.5 - 2.0 g sodium fluoroacetate/kg (1080). Information about these conditions, which include requirements for reporting the misapplication, loss or spillage of the substance, can be found on the EPA website at: <https://www.epa.govt.nz/database-search/approved-hazardous-substances-with-controls/view/39609> (click on "Expand All").

You have the right to seek an investigation and review of this decision by the Ombudsman. 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).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gayle Holmes', with a long horizontal flourish extending to the right.

Gayle Holmes  
General Manager Compliance, Monitoring and Enforcement  
**Environmental Protection Authority**