

The Test Certifier Update, is a monthly newsletter to support test certifiers by providing information, guidance and updates on hazardous substances and test certification.

The Update is also available to other interested parties on the WorkSafe New Zealand website at: [www.worksafe.govt.nz](http://www.worksafe.govt.nz)

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## UPDATE ON HSNO REFORM

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The Health and Safety Reform Bill continues to progress through the parliamentary process and the Transport and Industrial Relations Committee reported back to Parliament on 24 July 2015 with some important improvements following their consideration of this as well as receiving a number of submissions made by the public. Further information on the improvements can be accessed here [www.mbie.govt.nz/what-we-do/workplace-health-and-safety-reform](http://www.mbie.govt.nz/what-we-do/workplace-health-and-safety-reform)

The new Hazardous Substances regulations are also continuing to undergo development by MBIE in collaboration with the EPA, MfE and WorkSafe. The purpose of these regulations is to simplify the existing HSNO regime by providing industry with a single set of workplace controls for hazardous

substances as well as these controls sitting within the wider workplace health and safety framework administered by WorkSafe.

WorkSafe is undertaking a number of activities in readiness for the new Hazardous Substances regulations including identifying impacts to its current way of operating and required changes to policies, processes and procedures.

It is anticipated that the Exposure Draft of the Hazardous Substances regulations will be publicly available later this year for review and comment by industry. It is anticipated that WorkSafe will convene a guidance group in early 2016 to hear industry views on the Exposure Draft.

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## STRENGTHENING THE TEST CERTIFICATE REGIME

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In March, The Hon. Michael Woodhouse, Minister of Workplace Relations and Safety, gave the key note address to the New Zealand Institute of Hazardous Substances Management's (NZIHSM) annual conference. A key aspect of the Minister's presentation was the reform being made to strengthen test certification. This has recently been reflected in an article for the Winter edition

of the Institute's *Flashpoint* magazine. With permission, a copy of this article is available here: [Reform is to strengthen test certification](#)

The NZIHSM represent people who work in the community using Hazardous Substances and in particular HSNO professionals such as Test certifiers. See [www.nzihsm.org.nz](http://www.nzihsm.org.nz)

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## UPDATE ON EPA NOTICE PROPOSALS

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The EPA received 39 submissions on their proposal to require importers or manufacturers of hazardous substances to supply contact information.

This proposal is an important component of the EPA's work in hazardous substance reform, which is a part of the government's wider work to improve workplace health and safety.

The proposed new rules, which would be created in a new EPA Notice, closed for submissions on 28 April 2015.

The EPA is reviewing the submissions before making a final decision on the proposal.

The submissions are available on the EPA website. [View the submissions](#)

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## GUIDANCE NOTE ON REFURBISHMENT OF ABOVE GROUND TANKS FOR CLASSES 3.1A, 3.1B, 3.1C AND 3.1D HAZARDOUS LIQUIDS

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A draft guidance note has been prepared to provide advice on the refurbishment and relocation of above ground tanks. It is limited to workshop fabricated tanks which contain flammable liquids and tanks which require only minor repairs or alterations. It excludes both tripod tanks as well as tanks which require more than minor repairs and alterations.

A draft is available for review and comment from the link below:

[Refurbishment and relocation of above ground tanks with hazardous liquids of hazard classes 3.1A, 3.1B, 3.1C and 3.1D](#)

The guidance note is not intended to specify how the repairs or alterations are to be undertaken, however parties undertaking

the works must be aware of the flammable substance which the tank has contained.

The guidance note provides explanatory information to the requirements contained in Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice.

If parties have comments on the guidance note, we welcome feedback. The guidance note will then be formalised.

Feedback can be emailed to WorkSafe no later than Friday 14th August, at: [hsinfo@worksafe.govt.nz](mailto:hsinfo@worksafe.govt.nz).

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# SPECIFICATIONS AND COMPLIANCE FOR VENTS ON STATIONARY TANKS

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The specifications for vents on stationary tanks are set out in clauses 8 and 9, Schedule 8 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004. This includes vents for operational purposes as well as vents for emergency pressure release.

Reference is made in these clauses to the relevant sections of *AS 1940-2004 - The Storage and Handling of Flammable and Combustible Liquids (or API 2000 - Venting Atmospheric and Low-pressure Storage Tanks: Non-refrigerated and Refrigerated* - which is the origin of the requirements in AS 1940).

The correct design and application of these standards is essential to ensure tank integrity, particularly for those tanks that contain low flashpoint substances.

## CERTIFICATION OF TANK DESIGN

When an application for a register number for a tank design is made to WorkSafe New Zealand, evidence will be required that the stationary container vents have been considered. Hence when seeking a register number for a tank design, please include information of the required vent capacity(ies) and also the specification for the vent(s) to be used. It is recognised that in some standards for tank designs, for example *AS 1692 - 2006 Steel tanks for flammable and combustible liquids*, the vent may need to be considered specific to the installation. In such circumstances you may desire to set relevant conditions on the design test certificate.

## CERTIFICATION OF TANK INSTALLATION

The required capacity of vents depends on the sub-classification of the class 3.1 substance that is to be held in the stationary container(s) and recognizes that tanks in the same compound may require vents compliant with the requirements for the lowest flash point substance.

Verification of the vents is required as part of the process for determining whether a stationary tank is compliant.

Test certifier's approved for the installation of stationary tanks must be certain the vent capacity is correct for each tank/substance. Options include determining the requirement from first principles and verifying that the vent provided is compliant, or reliance on a competent person. Whichever is the case, sufficient records must be maintained to enable auditing of the tank as constructed.

WorkSafe New Zealand expects compliance with these requirements and will include this in the audit program of stationary containers.

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## BELOW GROUND PIPEWORK

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WorkSafe would like to remind test certifiers of the need to emphasise stock reconciliation for stationary container systems that have below ground tanks. Stock reconciliation is the first warning signal that the integrity of the tank or pipework may be compromised. Accordingly it forms a part of issuing a stationary container test certificate.

In this context corrosion is not the only point of concern. The failure of fibreglass pipework used with below ground tanks more than 15 years ago, has also been brought to our attention. Fibreglass pipework is a rigid piping system and where there is ground movement, there is concern that it may be subject to failure.

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## LOSP TIMBER TREATMENT SITES

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Recently, WorkSafe met with representatives of the timber treatment industry to discuss issues relating to the certification of LOSP treatment facilities. The following relates to plants established before LOSP was transferred under the HSNO Act on 1 April 2004.

A key issue for many sites established before this date, is that they do not comply with the separation distance requirements of Schedule 10 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004. These LOSP facilities are therefore unable to be certified without the approval of a separation distance variation.

The separation distances that apply vary depending on whether the substance is being stored or used. Separation distances are more stringent where a substance is being used. For storage, the separation distances are based on the tanks being located outdoors.

LOSP plants frequently place storage tanks in the same building or structure as the timber treatment tank. As timber treatment is a use of the LOSP, the building including storage tanks has its separation distances determined according to the more restrictive separation requirements for LOSP use. This scenario is compounded where the area for drying the treated timber is under the same roof as the timber treatment room. Drying timber releases vapour that also determines that the area is a use of the LOSP.

Applying for a separation distance waiver was discussed in our meeting with the timber treatment industry as an option for these sites.

Any such applications made, will if approved, include a set of conditions to mitigate to the extent possible, the issues of the LOSP storage tanks being in the room. These conditions will be developed in discussions with the applicant.

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## TEST CERTIFIER WORKSHOP

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We will be holding a one-day test certifier workshop during the **week of the 7-11 September** in **Wellington** for class 1-5 hazardous substances. No workshops will be held in Auckland or Christchurch.

The workshop will cover updates on:

- > the HSNO reform including changes to the hazardous substances regulations;
- > workrooms and location test certificates;
- > stationary container systems;
- > major hazard facilities;
- > HSNO approved codes or practice - what will happen with them.

We will confirm the exact date of the workshop next week, so if you could keep the above dates in mind in your work schedule, that would be helpful. We will send out an email next week with a draft agenda, date and venue.

If there are particular topics you would like covered, please email [hsinfo@worksafe.govt.nz](mailto:hsinfo@worksafe.govt.nz), by 5pm on Tuesday 4 August. Please use the subject heading 'Workshop Topics' in your email.

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## IMPORTANT NOTICE FOR USERS OF UNSUPPORTED WINDOWS OPERATING SYSTEMS

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For IT security reasons, the software that supports the Test Certificate Register and the Test Certifier Secure Site has recently been upgraded. This means that test certifiers who are running outdated Windows operating systems on their computers will no longer be able to access the Test Certificate Register or the Test Certifier Secure Site.

Test certifiers still running the following Windows operating systems are advised to upgrade to a more recent version:

- > Windows 95
- > Windows NT 4.0
- > Windows 98
- > Windows 2000
- > Windows ME

Note that the new upgrade supports versions of the operating system Windows XP and web browser Internet Explorer IE8 and later.

If you are using supported versions of Windows or Internet Explorer and are experiencing problems accessing the Test Certifier Register or Test Certifier Secure Site, please contact Antony on 0800 376 234 or [hsinfor@worksafe.govt.nz](mailto:hsinfor@worksafe.govt.nz).

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## TEST CERTIFICATE REGISTER SURVEY

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In August we will be undertaking an on-line survey to help WorkSafe better understand your use of the test certificate register. All test certifiers will shortly receive an email from us, which will include a link to the survey form.

A better understanding of the currency of the data in the register and how the register is used will provide valuable information on future development needs. Your participation in the survey will be greatly appreciated.

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## COMPANY NAMES ON TEST CERTIFICATES

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It has come to WorkSafe's attention that some test certificates are being issued to a company's trading name rather than the legal entity for the company.

This practice has the potential to cause problems when enforcement action is being considered.

Therefore this is a kindly reminder to test certifiers issuing certificates for sites (ie stationary container and location test certificates) to issue the test certificate using the legal entity for the company, not the company's trading name.

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## EQUIPMENT REGISTERS UPDATE

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We have updated the following equipment registers on WorkSafe's website. The links below:

- > [Compressed Gas Cylinders](#)
- > [Tank Wagons](#)
- > [Tank Design and Fabricators](#)
- > [Manufacturer's Marks \(Compressed Gas Cylinders\)](#)

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### REGISTERS

[Compressed Gas Cylinders](#)

[Burners](#)

[Dispensers & Vaporisers](#)

[Tanks & Fabricators](#)

[Tank Wagons](#)

[Controlled Substance Licence \(CSL\)](#)

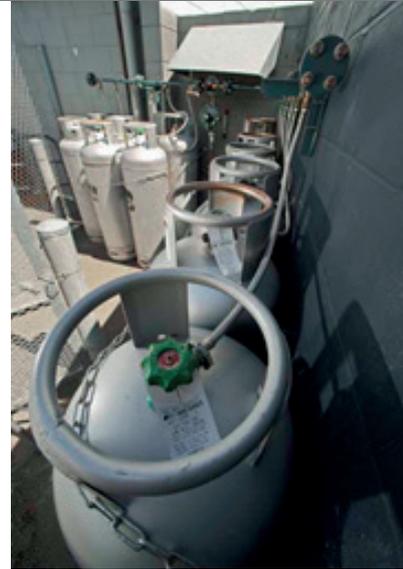
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## LPG FITTINGS

LPG fittings are required to be certified and must have their details entered into the register for cylinder fittings as specified in clauses 35, 36, 37 and 38 of the Hazardous Substances (Compressed Gases) Regulations.

A fitting that is not on the register has recently come to our attention. If you identify a fitting that is not on the register please advise us of the details by emailing [hsinfo@worksafe.govt.nz](mailto:hsinfo@worksafe.govt.nz)

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## HSNO APPROVED SUBSTANCES CONTAINING ALPHA-CHLORALOSE

Alpha-chloralose is a vertebrate toxic agent used for bird control. It is a narcotic poison that works on the central nervous system, producing a hypnotic and anaesthetic effect when ingested in sufficient quantities.

Recently, we have had a number of enquiries on the approved handler and controlled substance licence (CSL) requirements for alpha-chloralose. There are three HSNO approved alpha-chloralose substances:

Solid containing 900-1000 g/kg alpha-chloralose

Treated seed containing 22-25 g/kg alpha-chloralose

Paste containing 25g/kg alpha-chloralose

Only the concentrate (solid containing 900 – 1,000 g/kg alpha-chloralose) requires an approved handler, due to its 6.1B classification. The treated seed and paste are both classified as 6.1D and do **not** require an approved handler.

**None** of the three substances require a CSL.

A simple summary table is below:

	SOLID [900 – 1,000 G/ KG]	TREATED SEED [22 – 25 G/KG]	PASTE [25 G/ KG]
Approved handlers	YES	No	No
CSL	No	No	No

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## FERATOX FIND

WorkSafe was recently notified of an incident involving the illegal disposal of up to 1Kg of Feratox cyanide pellets and Trappers cyanide paste. Based on the tracking numbers the poisons were approximately 7-8 years old. The cyanide tubes were black in colour, leaking and in a state of decay.

A member of the public found the cyanide in the boot of a vehicle in a Northland car wreckers yard, and attempted to sell the cyanide to a CSL holder.

Fortunately the CSL holder acted professionally. Recognising the moral, legal, and potentially lethal implications if the

cyanide was misused or accidentally handled by a member of the public, the cyanide was promptly confiscated and its proper disposal arranged through the local territorial authority.



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## SITES WITH MULTIPLE BUILDINGS AND MORE THAN 100KG OF LPG

WorkSafe would like to remind test certifiers of the requirements for issuing location test certificates for sites with more than 100Kg of LPG. In a previous Test Certifier Update (issue #108 28 October 2011), the EPA set a clear standard around when a location test certificate is required for a site with multiple buildings:

*If you have more than one building on your property and each building is supplied by an*

*installation with less than 100Kg of LPG, you do not require a location test certificate. But each building must be detached, at least five metres apart and the area between the buildings must be free of flammable or combustible materials such as firewood or dry vegetation.*

This advice was also provided in the Information Sheet – [LPG in the Home](#)

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