

Amendment to an exemption from the provisions of Health and Safety at Work (Hazardous Substances) Regulations 2017

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), I, Nicole Rosie, Chief Executive, have amended the exemption previously granted to **Pan Pac Forest Products Ltd** on 8 October 2018 (Gazette Notice 2018-au5117). This exemption is from compliance with regulation 12.9 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 for separation requirements of class 5.1.1A substances from incompatible substances for the hydrogen peroxide tank (ID 853231) located at 1161 Wairoa Rd, Whirinaki, Napier.

I do so –

- being satisfied that:
 - a. the extent of the amended exemption is not broader than is reasonably necessary to address the matters that gave rise to it; and
 - b. the amended exemption is not inconsistent with the purpose of the Act; and
 - c. the applicants are not reasonably able to comply with the regulatory requirements; and
 - d. the amendment to the exemption provides greater certainty that the risk of mixing incompatible substances is managed in the stationary container systems holding hydrogen peroxide, sulphuric acid and DTPA.
- subject to the conditions listed in Appendix 1.

This exemption takes effect on **20 September 2019** and expires on **8 October 2023** unless it is replaced sooner or revoked.

Signed at Wellington this 18 day of September 2019



Nicole Rosie
Chief Executive
WorkSafe New Zealand

Appendix 1

Exemption Conditions

The exemption granted to Pan Pac Forest Products Limited by WorkSafe on 8 October 2018 (Gazette Notice 2018-au5117) has been amended in accordance with section 220 of the Health and Safety at Work Act 2015 to accept the hydrogen peroxide tank (ID 853231) being 10% less than the required separation distance from incompatible substances.

The Pan Pac Forest Products Ltd, Whirinaki Mill, Napier, Chemical storage plant layout guide drawing storage tanks, drawing number A/1/85/M/4001, sheet number 1/2, Rev B (undated) forms part of this decision.

The exemption (HS0004A) is subject to the following conditions:

1. Pan Pac Forest Products Ltd must:
 - a. Ensure the common bund wall between the hydrogen peroxide tank and the sulphuric acid tank (ID 853251) meets the crest locus requirements for both these tanks; and
 - b. Ensure the common bund wall between the hydrogen peroxide tank and the DTPA tank (ID 853241) meets the crest locus requirements for both tanks; and
 - c. Put in place an engineered separation of the load-in points for hydrogen peroxide and sulphuric acid; and
 - d. Install signage which meets the requirements of regulation 2.4(1) of the Health and Safety at Work (Hazardous Substances) Regulations 2017 at the load-in points for hydrogen peroxide and sulphuric acid; and
 - e. Have an automated shut-off on the sulphuric acid tank fill pump at the high level alarm on the sulphuric acid tank; and
 - f. Have an automated shut-off on the hydrogen peroxide tank fill pump at the high level alarm on the hydrogen peroxide tank; and
 - g. Have written procedures for the filling of the hydrogen peroxide tank and the sulphuric acid tank which are readily available for the PCBU delivering the chemicals.
2. Pan Pac Forest Products Ltd must implement and keep records for WorkSafe inspectors and compliance certifiers as follows:
 - a. Daily inspections to prevent organic material building up in the peroxide bund; and
 - b. Monthly inspection and maintenance of the common bund wall between the hydrogen peroxide tank and the sulphuric acid tank; and
 - c. Monthly inspections and maintenance of the common bund wall between the hydrogen peroxide tank and the DTPA tank; and
 - d. Monthly inspection and maintenance of the sulphuric acid, hydrogen peroxide and DTPA fill-in pipework.
3. Pan Pac Forest Products Ltd must implement continuous monitoring of the temperature of the hydrogen peroxide tank and provide tank cooling if the liquid is within 15°C of its decomposition temperature.
4. Pan Pac Forest Products Ltd must provide a copy of this decision to any compliance certifier engaged to issue a location compliance certificate for the hydrogen peroxide installation or the sulphuric acid installation, or to issue a stationary container system compliance certificate for the hydrogen peroxide, sulphuric acid or DTPA tanks.

Pan Pac Forest Products Ltd must maintain the layout of the hydrogen peroxide (ID 853231), sulphuric acid (ID 853251) and DTPA (ID 853241) stationary container systems as shown in the Drawing.