

Health and Safety at Work Hazardous Substance Regulations 2017



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Key Points in Hazardous Substance (HS) Regulations

The Old Regime

The New HS Space

Summary of Holistic Changes

Discussion welcomed

Workplace Illness and Death due to Chemicals

- Hazardous Substance Surveillance System
- Stats from NPC – EDs – GPs
- None sourced from 0800 Chemcall or equivalent services

Dilution of Approved Handler model

RMA Reform 2017

- Removing all council functions relating to hazardous substances **section 31(1)(b)(ii) is repealed – Renewed District Plans cannot explore HS**

Worksafe NZ – Key Requirements

- Inventory
- Safety Data Sheets
- Information, Training Supervision
- Emergency Preparedness – **all workplaces** and not just if you have chemicals about the place or on your vehicles
- Labelling, including emphasis for workplace containment and decanting
- Signage
- Risk Management
- Transitional Periods

Format of HS Regs

- No longer in subject clusters – E.g. Secondary Containment
- Now begins with HS Management general requirements and then HS details are grouped under each Hazard Type and Classification
- E.g. Secondary Containment grouping is broken up and placed under relevant Hazard Class
- Penalties follow each Section

Additional Points of Note

- Safe Work Instruments (SWIs)
- HS Regulations General Points – Coverage & Format
- PCBU Duty to Review Control Measures
- Definitions
- Some Impacting Specifics
- Use of Emergency Advice details E.g. 0800 CHEMCALL
 - Permission must be sought prior to using this service

Additional Points of Note

- Transit Depots – RCNZ and Worksafe NZ creating new model
- Hazardous Waste
- Fireworks – Retail sale now enforced by NZ Police
- 1080 Controls following Operation Concord (terrorist incident)
 - Moved to Worksafe NZ

Signage

- Transit Depot
- 50Kg > LPG inside Bldg
- Refrigeration – Any Quantity Flammable
- Durable & Readable 10m>
- Good Condition – (not faded or damaged)
- Not Covered or Obscured
- Teat Sanitising location – not new but unknown
- Additional Type and Class detail in Schedules
- Class 9 not listed – EPA control – Notices

Certified Handler – Replaces Approved Handler

- Not a Requirement for;
 - Class 2
 - Class 3
 - Class 4
 - Class 5
 - Class 6.1C
 - Class 8
 - Class 9
- Required for;
 - Class 6.1A, 6.1B, CSL products

Renewed five yearly

Hazardous Waste

- Labeling – Legible in English
- Included in HS Inventory
 - Identifier – as closely as poss to hazard class
 - Max workplace quantity
 - Segregation requirements
 - Training for those involved in the Waste Product
- Emphasis is different to HS Disposal requirements – EPA Notice (ex Disposal Regs)

Stationary Container Systems

- Bond and Earth all Above Ground holding Class 3.1 A, B, and C
- Class 2.1.1 Permanent tanks not stacked
- Class 3 not placed end to end
- Separation Distance from Public Place
- Firefighting requirements aplenty for Class 3

- Internal Combustion Engine Fuel Supplies
 - Permissible Volumes inside a building
 - Specific floors in a building

Newly Focused Emphasis

Class 6.1A, B, C Class 8.2A, B, and CSLs

- Areas not a Haz Sub Location
 - Secured
 - Water supply close by
 - Sufficient ventilation
 - Distance from heat sources to prevent leaks
 - Spill mitigation emphasis
 - Quantity summation combines Class 6 and 8
 - Transit Depot included in new HS Class focus

Location Compliance Certification

- HSLs for volumes above;
 - 6.1A 50 Kgs or Litres
 - 6.1B 250 Kgs or Litres
 - 6.1C 1000Kgs or Litres
 - 8.2A 50 Kgs or Litres
 - Renewed 3 yearly
 - Farms 4 Hectares > The Rules Change

HS Storage Cabinets

— incorrectly aka DG Cabinets

- Specific requirements for storage other than in cabinets
- Specific requirements for;
- Indoor Storage Cabinets Class 6
- Indoor Storage Cabinets Class 8
- Differing Max Volumes
- Differing separation distances and Volumes aggregated
- Water supply in close proximity
- Not to impede expeditious (really fast) escape from fire

Laboratories

- Simplified into **Approved or Unapproved Substances**
- Maintain a 'Record' of Tracked or Unapproved Substances

Fire Extinguishers

- No longer a maximum of 30 Metres distant
- Readily visible and available
- Other Extinguisher controls remain status quo

Safety Data Sheets

- Now specifically stated in Regulation
- Obtained when first purchased and when a purchase is beyond five years since last purchase
- Available in a reasonable time (~~10 minutes~~)
- Five year review mandatory (~~Best Practice~~)
- Mobile workers must have access to SDS Intel- can be at PCBUs place but available directly via comms medium

Safety Data Sheets

- Does not apply to;
- Chemicals in transit – DG Declarations and ER Information
- Retailer where a consumer product unopened
- Present unopened to supply another premises
- Used at a workplace in quantities consistent with household use

Inventory of Chemicals

- All chemicals on site
- UN Number if applicable
- Maximum quantities likely to be on site
- Location of substance within the site
- Compliant SDS
- Condensed version – not promoted by RCNZ

Ecotoxic Substances and Controls

- Controls set and managed by EPA
- Worksafe NZ enforce these in the workplace
- Controls are listed in EPA Notices
- Also in HS Regulations as Guidance only
- **Note** – Secondary Containment threshold trigger volumes are now split up and placed into respective Hazard Class sections throughout the HS Regs

Transition Timelines

- **1st September 2017**
 - Definitions and Standards
 - Authorisation of Cylinder Test Stations
- **1st December 2017**
 - Most of the HS Regs
 - Competency requirements for Certified Handlers
 - Approved Handler – Grandfathered till Cert Expiry
 - SWIs
 - *EPA Notices – 10 Ready to go*
 - *EPA Group Stds – 29 Ready to go*
 - *New HS Approvals*
- **1st June 2018**
 - Holding requirements for Transit Depots

Transition Timelines

- **1st June 2019**
 - Hazardous Waste incl in HS Regulations
 - HS Location Classes 6.1A, B, C and 8.2A , B
 - HS Cabinets compliance extended to Classes 6 and 8
- **1st Dec 2019**
 - Location Compliance Certificate
 - Classes 6.1A, B, C and 8.2A , B
- **1st Dec 2021**
 - *Substances approved under existing Gp Stds*
 - *to comply with Labeling, SDS, & Packaging*

Existing individual approvals will have two to four years following the re-issue of the approval - post 1 Dec 2017

STORAGE OF HAZARDOUS SUBSTANCES

HSNO COP 16 version 2.0 December 2014



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WORKSAFE
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SAFETY AUTHORITY

	Explosives 1	Flammable Gas 2.1 including 2.1.1A & B	Flammable Aerosol 2.1 including 2.1.2A	Non-Flammable Non-Toxic gas 2.2	Toxic gas 2.3	Flammable Liquid 3.1 including 3.1A, B, C & D	Liquid Desensitised Explosive 3 including 3.2A, B & C	Flammable Solid 4.1 (readily combustible) 4.1.1 A & B	Flammable Solid 4.1 (self reactive) 4.1.2 A, B, C, D, E, F & G	Flammable Solid 4.1 (desensitised explosive) 4.1.3 A, B & C	Spontaneously Combustible 4.2 including 4.2A, B & C	Dangerous When Wet 4.3 including 4.3A, B & C	Oxidiser 5.1 including 5.1.1 A, B & C - 5.1.2 A	Organic Peroxide 5.2 including 5.2A, B, C, D, E & F	Toxic 6.1 including 6.1 A, B & C (Liquids & Solids only - Gases see 2.3)	Toxic 6.2 including 6.2 A, B & C	Infectious Substances 6.2	Radioactive Materials 7	Corrosive Acid 8 PG I & II including 8.2 A & B	Corrosive Alkali 8 PG I & II including 8.2 A & B	Corrosive Acid 8 PG III including 8.2 C	Corrosive Alkali 8 PG III including 8.2 C	Ecotoxic 9.1 A & B	Food Item [see NOTES]	
Explosives 1		4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Flammable Gas 2.1 including 2.1.1A & B		4	✓	X	✓	✓	X	1	1	1	1	1	1	1	2	3	✓	X	✓	✓	✓	✓	✓	✓	✓
Flammable Aerosol 2.1 including 2.1.2A		4	X	✓	✓	✓	X	1	1	1	1	1	1	2	3	✓	✓	X	✓	✓	✓	✓	✓	✓	✓
Non-Flammable Non-Toxic gas 2.2		4	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Toxic gas 2.3		4	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	X	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X
Flammable Liquid 3.1 including 3.1A, B, C & D		4	X	X	✓	X	1	1	1	1	1	1	1	2	3	✓	✓	X	✓	✓	✓	✓	✓	✓	✓
Liquid Desensitised Explosive 3 including 3.2A, B & C		4	1	1	✓	✓	1	1	1	1	1	1	1	2	3	✓	✓	X	✓	✓	✓	✓	✓	✓	✓
Flammable Solid 4.1 (readily combustible) 4.1.1 A & B		4	1	1	✓	✓	1	1	1	1	1	1	1	2	3	✓	✓	X	✓	✓	✓	✓	✓	✓	✓
Flammable Solid 4.1 (self reactive) 4.1.2 A, B, C, D, E, F & G		4	1	1	✓	✓	1	1	1	1	1	1	1	2	3	✓	✓	X	✓	✓	✓	✓	✓	✓	✓
Flammable Solid 4.1 (desensitised explosive) 4.1.3 A, B & C		4	1	1	✓	✓	1	1	1	1	1	1	1	2	3	✓	✓	X	✓	✓	✓	✓	✓	✓	✓
Spontaneously Combustible 4.2 including 4.2A, B & C		4	1	1	X	X	1	1	1	1	1	1	1	2	3	✓	✓	X	✓	✓	✓	✓	✓	✓	✓
Dangerous When Wet 4.3 including 4.3A, B & C		4	1	1	✓	✓	1	1	1	1	1	1	1	2	3	✓	✓	X	1	1	1	1	1	✓	✓
Oxidiser 5.1 including 5.1.1 A, B & C - 5.1.2 A		4	2	2	✓	X	2	2	2	2	2	2	2	3	2	2	X	X	2	2	2	2	2	X	✓
Organic Peroxide 5.2 including 5.2A, B, C, D, E & F		4	3	3	X	X	3	3	3	3	3	3	3	3	3	3	X	X	3	3	3	3	3	X	✓
Toxic 6.1 including 6.1 A, B & C (Liquids & Solids only - Gases see 2.3)		4	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	2	3	✓	✓	✓	✓	✓	✓	✓	✓	✓	X

KEY

This code is intended to enable Persons in Charge, Approved Handlers and everyone storing Hazardous Substances to comply with the segregation requirements of regulations 21, 76, 78, 87, 95, 105 and 117 of the Hazardous Substances [Classes 1 to 5 Controls] Regulations 2001, Industry Best Practice and the NOTES

	Compatible substances that can be stored together
	Incompatible substances that must NOT be stored together. Must be separate so that substances do not come in contact. Keep in separate compounds or segregate by a distance of at least 3 metres
	Separation requirement: Fire resistant wall rated 120/120/120 minutes, or separated by three metres
	Separation requirements for 5.1: Fire resistant wall rated 120/120/120 minutes, or separated by the correct distance required in HS [Classes 1 to 5 Controls] Regulations 87 and 95
	Separation requirements for 5.2: Fire resistant wall rating for appropriate use, or separated by the correct distance required in HS [Classes 1 to 5 Controls] Regulation 105 and 117
	Explosives require special storage. Refer HS [Classes 1 to 5 Controls] Regulations 2001

NOTES *

Consult the Safety Data Sheet (SDS) or Supplier to confirm compatibility

	Packaging: This code provides a means of compliance for the storage of packages and transportable containers [BCs]
	Food Item: means both (a) Anything that is used or represented for use as food or drink for humans or animals, and (b) Any packaging known, reasonably expected to be known, intended for, or which may in the future be used to contain food, drink, or any other substance intended for human or animal consumption. (Land Transport Rule: Dangerous Goods 2005)
	Classes 6.1D, 6.1E, 6.3, 6.4, 6.5 6.6, 6.7, 6.8 and 6.9 should be stored same as Toxic 6.1
	Classes 8.1 and 8.3 should be stored same as 8.2C
	Ecotoxic 9.1C, 9.1D, 9.2, 9.3, & 9.4 should be stored same as 9.1A & B
	Ecotoxic pictogram can be or
	Classes 2.2, 6.2 & 7 and Food Item are covered by the LT Rule : Dangerous Goods 2005
	Class 2.3 is covered by HSNO class 6.1
	DG Limited Quantities marks and : consult the SDS to confirm compatibility

5 SIMPLE STEPS TO MANAGING YOUR WORKPLACE CHEMICALS



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Nº 1
APPOINT A 'PERSON IN CHARGE'
Responsible for security and management of chemicals [HSNO].

Nº 2
MAINTAIN A SITE HAZARD REGISTER
■ Identify each chemical product you have, particularly Tracked substances.
■ Record the Hazard classification and maximum quantities at any one time, in this Register.
■ Obtain Compliant Safety Data Sheets (SDS) from your supplier [ACoP].

Nº 3
MANAGE THE RISK
Obtain advice from:

Nº 4
SAFELY MANAGE YOUR SITE CHEMICALS
■ Ensure chemicals are correctly packaged and labelled.
■ Ensure SDS are available within 10 minutes [ACoP].
■ Provide correct Personal Protective Equipment [PPE].
■ Correctly segregate and store chemicals [ACoP].
■ Ensure Secondary Containment is in place [ACoP].

Thank you



Question Time Coming Up