



## EDITORIAL

Concern about global unrest, particularly the ongoing US-China trade war, continues to dampen international and local business confidence.

Our Productivity Commission strongly recommends stepping up progress with overdue, national strategic infrastructure development. Inflation to June hovers at 1.6% and further interest rate reductions are anticipated. Local business operators (particularly SMEs) cite the shortage of skilled labour, together with a continuing flow of regulations and compliance requirements, which collectively present both a challenge and a distraction for smaller, less well-resourced businesses. Nearly 45% expect general business conditions to worsen in the next 12 months.

Highly prescriptive regulations are necessarily all-encompassing, whereas business circumstances and site conditions often require flexibility in identifying and implementing sensible, cost-effective solutions which achieve the primary regulatory goal of safer workplaces. Time-poor employers require a 'one stop' opportunity to identify how to best meet the intent of the regulations relevant to their particular operational circumstances, not being referred to intricate regulations and a reluctance to identify possible options with site owners. The more prescriptive the performance standard, the less likely it can be adapted to each and every operational circumstance. Fortunately, our popular site assessments and the resulting conversations clarify compliance obligations.

Accurate and comprehensive site chemical management and compliance advice remains difficult to access for many business operators. Advice from certifiers and inspectors to "Read the regulations" is not a helpful response to increasingly frustrated operators seeking specific site compliance options.

Continuing erosion of the pool of experienced Compliance Certifiers intensifies industry concerns about the availability and capabilities of the next generation of certifiers, many of whom will lack extensive industry experience and elect to assess compliance by citing inflexible and often debatable, prescriptive performance standards rather than discuss pragmatic options with the client.

Your Association continues to advocate for timely, effective and mutually beneficial collaboration between regulators and industry, particularly when considering regulatory change and rising compliance expectations. Utilizing industry expertise and resources to facilitate cost-effective compliance and enforcement makes good sense. The long-awaited start of the HSNO Phase II review will do just this.



## Climate Change

Responding effectively to the consequences of climate change introduces complex considerations, including whether New Zealand's relatively small contribution to international GHG emissions should jeopardise our economic circumstances. Our Interim Climate Change Committee (ICCC) is negotiating with the Farming sector to bring the largest emitter into the controversial Emissions Trading Scheme.

The ICCC has cautioned against unrealistic expectations when touting 100% renewable energy by 2035 (recently increased from 2025), assessing the policy as both expensive for consumers and unlikely to significantly reduce carbon emissions. The Committee notes the planting of millable pine forests will not provide a long term, sustainable solution to reducing greenhouse gases (GHG). It would be equally counter productive to mandate product stewardship before cost-effective disposal solutions, most typically the fully resourced infrastructure necessary to safely manage e-vehicle lithium-ion batteries, are readily available.

The global chemical industry is proactively engaging in the 'Circular Economy' concept, which minimizes waste by requiring better designed products that are more easily recycled and reused. Efforts to remove plastic waste polluting oceans and waterways are gathering momentum.

Several global plastic reduction initiatives, most recently the Alliance to End Plastic Waste, feature leading multi-national consumer products companies seeking practical alternatives to plastic packaging and the resulting pollution.

Thanks to sponsors, environmentalist superstar Boyan Slat's high profile, ocean-going floating boom has been repaired and deployed to progressively reduce the infamous mid-Pacific garbage patch.

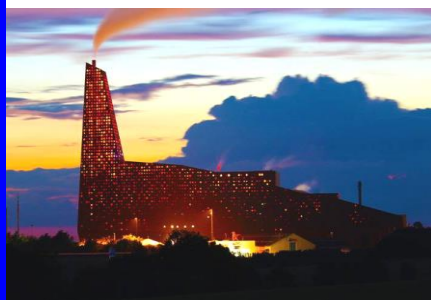
Locally, the ban on 'one trip' plastic shopping bags successfully captured public engagement, despite 'soft plastics' being rejected by many local authority collection schemes. National recycling capability struggles to reduce growing stockpiles of formerly exported plastic, together with tyres and e-waste, which collectively overwhelm landfills.

Local authorities dramatically declaring 'climate change emergencies' without practical plans and solutions risk alienating the public, increasingly impatient with 'virtue signalling' and inadequate alternatives.

### **Managing Hazardous Waste**

From June 2019, businesses must maintain an inventory of hazardous waste stored on the premises. The regulations apply to hazardous waste created by an industrial process and is hazardous due to its explosive, flammable, oxidizing, toxic and corrosive properties. Hazardous waste must also be accounted for in site emergency preparedness plans, including expert handling, spill kits and fire fighting equipment.

The regulatory requirements for storing, handling and transporting hazardous substances also apply to hazardous waste.



A state of the art, low emissions, Swedish designed waste-to-energy incineration facility able to efficiently convert both hazardous and household waste to electricity, is being proposed as an environmentally friendly, sustainable and cost-effective solution – see news article [Bold New Waste Energy Plant for Huntly](#). Sited in rural Waikato, the facility is said to be capable of dealing with country-wide waste collections on a cost-recovery basis. A \$260m waste to energy plant proposed for the West Coast is opposed by local environmentalists.

Singapore's impressive Integrated Waste to Energy Management Facility (IWMEF) will convert more than 2.5m tonnes of solid waste each year into energy, with very low emissions and a tiny GHG footprint. The site includes wastewater reclamation, food waste treatment and recyclables recovery. Incineration of 5,800 tonnes per day of general and intractable waste will enable land filling of solid waste to cease by 2022.

### **Grant For Recycling Food Packaging**

Australasian packaging manufacturer Pact Group received a NZ \$3m MfE Waste Minimisation Grant to help create a range of 100% PET grade recycled plastic food containers, including trays for meat, delicatessen and bakery products, together with drink containers. The company, which operates 110 sites in 15 countries and employs more than 6,000 staff, is responding to China's rejection of imported plastic waste by building a local factory able to process 10,000 tonnes of recyclable plastic each year.

### **Changes Commenced 01 July 2019**

A growing list of regulatory requirements deemed necessary to sustain a safe, healthy and successful society requires attention by conscientious business operators.



### **Ban on Plastic Bags**

The regulation forbids the sale or distribution by all shops of single use, plastic shopping bags with handles, which are less than 70 microns thick. This includes biodegradable, degradable and oxo-biodegradable products, but not the super thin bags found in the food and vegetable aisle of your supermarket.

The public is being actively encouraged to report offending businesses, which face significant fines. Food containers pose particular hygiene challenges and bringing your own container is being encouraged. Some supermarkets are offering to sanitise BYO containers while you wait.



### Tip

Recycling collections cannot accept soft plastic packaging, i.e. cling wrap and chip packets; coated paper, i.e. disposable coffee cups, gift wraps and greeting cards; bubble wrap and the ubiquitous polystyrene. One contaminated item such as a greasy pizza box condemns the entire recycling bin contents to landfill.



**Fuel Tax** rises by 3¢+GST per litre, lifting the excise tax to 66c per litre ahead of a rise to 70c per litre next July. The increase means taxes on a litre of fuel now exceeds 50%. This coincides with the Government's proposal to subsidise transition of the national vehicle fleet to electric versions, a key component of achieving a low carbon economy. Subsidized electric vehicles (EV) and a substantial tax on vehicles exceeding benchmark EU CO2 emission standards of 105g per km by 2025, seek to progressively increase the present 5,000 EVs in the national 3.2m vehicle fleet.

Air New Zealand is investigating electrical power for its regional commuter aircraft. A prerequisite requires the infrastructure necessary to maintain, repair and dispose of large numbers of lithium-ion batteries, to be operational.

### Workplace Health and Safety

The meaning of psychological (psycho-social) abuse has been clarified and expanded to include ill-treating house pets and animals of importance to a person. It also incorporates harassment and instances of interfering with a person's health.

### Family Violence Act 2018

Replaces the Domestic Violence Act 1995 affecting Protection Orders and now covers a person's children, including during pregnancy.

### National Care Standards

Provides more precise performance standards for safeguarding children in state care and governance for foster parents and/or caregivers. Children in care may now continue to live with their caregiver beyond the age of 18.

### EQC Cover

The cap on earthquake claims for damaged residential housing has increased by \$50,000+GST per dwelling, despite strong public support for raising the cap to a more realistic \$200,000+GST.



### Building Improvements for Renters

Landlords are required to install compliant ceiling and underfloor insulation (minimum 120mm thick) appropriate to regional climactic conditions, in rental properties. Bathrooms and kitchens must be fitted with extractor fans, while living rooms must have effective heating. All habitable rooms must have at least one window or door which opens to the outside.

### Paid Parental Leave

Payments for the present 22 weeks rise from \$564 to \$585 per week, ahead of 2020's increase to 26 weeks.

### Hazardous Substances

The HSWA (Hazardous Substances) Regulations 2017 require Hazardous Substances Locations (HSL) to be established and notified for **Classes 6.1.A, 6.1.B, 6.1.C** and **Classes 8.2.A and 8.2.B** products. From **01 December 2019**, an HSL may contain a 'Protected Place' and a Location Compliance Certificate is required once inventories exceed specified quantities. Certifiers must approve the existence of a Protected Place, together with the subsequent compliance requirements. Members report inconsistencies and confusing advice received from some certifiers and enforcement Officers, regarding the definition and certification requirements for a 'Protected Place' within the HSL.

RCNZ is currently discussing these issues with WorkSafe NZ and anticipates identifying pragmatic options to resolve individual site circumstances, together with correcting regulatory errors. We welcome your experiences to date in order to fully address concerns arising from conflicting compliance advice. Once solutions are identified, RCNZ will conduct local workshops to enable compliance.



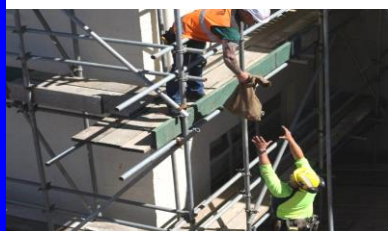
### Pest Control

If temporarily storing vertebrate Toxic Agents (VTA) for imminent pest control such as your work vehicle or bait preparation area, WorkSafe NZ must be notified of the location at least 24 hours prior.



### Transport Safety: Revision of NZS 5433 2012

The public consultation document will be released shortly, with a response time of six weeks for submissions. Readers are urged to contribute to this key international performance standard, which **governs the safe distribution of your hazardous products and operations throughout the supply chain.**



### New Construction Industry Guidance

The latest WorkSafe discussion document seeks to improve safety around plant and machinery, excavations and working at heights. Designers, manufacturers, importers and installers of Static, Mobile and High Risk Plant are targeted to reduce the annual average of 58 workers killed or seriously injured in work involving plant, structures and machinery.

In addition, certified scaffolding is required to work above 4m and measures to prevent collapse in excavations are required at a depth greater than 1.5m. Members employing contractors for this type of work must be able to demonstrate the necessary Duty of Care required by the HSWA regulations.

**Comments close 04 October 2019.** Visit <https://www.mbie.govt.nz/have-your-say/implementing-the-health-and-safety-at-work-act-better-regulation-plant-structures-and-heights/>

### Review of Hazardous Substances Legislation

The Phase II review of our much-loved and often-maligned HSNO chemical management legislation seeks to address major shortcomings, align ageing workplace chemical management performance standards with the latest international performance requirements and identify further enhancements and improvements.

Responsible Care NZ continues to advocate for the reinstatement of robust chemical training and qualifications commensurate with the previously flawed, but effective Approved Handler requirement, presently being addressed by our popular, customized **Competent Chemical Handler** courses. The review complements RCNZ stewardship of the updating of the Logistic sector's essential reference NZS 5433:2012, together with revision of several chemical related AS/NZS Standards.



### 'One Stop' Advice Popular

Struggling to know what you don't know? An informal tour of your site with one of our experts is a cost-effective way to confirm your safe chemical management meets and exceed your regulatory and best practice obligations.

Your questions, non-compliance issues and remedial actions discussed during the assessment are captured in a written report, which provides a helpful 'to do' action list.

### Asbestos Breakthrough

A woman who died in 2016 while fighting the Accident Compensation Corporation determination that only Workers exposed to asbestos were eligible for compensation, has posthumously won her claim. In a landmark decision, the High Court determined asbestos inhalation by the young child who hugged her Father each evening when he returned home from his work as an electrician, wearing contaminated work clothes, was deemed accidental personal injury, regardless of how it occurred. Further cases are expected.

## EPA Steps Up Enforcement

The EPA's Statement of Intent 2019-2023 heralds greater attention to compliance monitoring and enforcement. Changes to the HSNO Act applicable from December 2017 gave the EPA wider powers to ensure every hazardous substance is approved for use in New Zealand. This includes proactively encouraging less environmentally harmful products.

The EPA seeks to improve engagement with community groups and organisations to better understand their chemical-related concerns and work collaboratively to achieve the desired social and economic benefits, through a combination of less harmful chemical products and environmentally sustainable practices.

## WORKSAFE Board Appointments

Ross Wilson remains Chair while Deputy Chair Paula Rose and Chris Ellis have been extended for two years and one year respectively. Bill Moran and Kristen Thompson commence three-year terms. Mr Moran is ex-Treasury, presently Chair of Sport and Recreation NZ and Deputy Chair of Otago Polytechnic. Ms Thompson is a Barrister and Solicitor who has previously been a NZCTU policy advisor.

## Boost For Agritech Strategy

Chosen for the potential to combine our agricultural expertise with a highly educated workforce, the Agritech sector has been identified as a priority for initiatives to enable the Government's strategy of sustainably lifting productivity in a low-carbon economy.

Contestable funding is available for leading research projects and the commercialisation of promising outcomes.

The Rural Innovation Hub in the Manawatu offers funding and expertise concerning the feasibility of applying bright ideas from farmers and horticulturalists to resolving the environmental issues they face.

The just-released report 'From the Knowledge Wave to the Digital Age: Growing Innovative Industries in New Zealand' <https://www.mbie.govt.nz/business-and-employment/economic-development/industry-policy> encourages and facilitates better use of both existing and evolving technology and resources to help improve New Zealand's stubbornly sluggish Productivity.



### Hunt for Fruit Flies

The Ministry for Primary Industries has spent more than \$4m eradicating several rogue fruit flies found in Auckland which could devastate our fruit exports.

If the pests become established, insecticides may be limited as the popular Chlorpyrifos and Clothianidin could be banned in the European Community.



### These Are Our Partners

A team of scientists led by **GNS Science** has received Government funding to explore converting methane and CO<sup>2</sup> emissions into food for farm animals. Sourced from geothermal and fossil fuels, naturally occurring micro-organisms could provide a sustainable source of protein and carbohydrates for livestock. GNS Science is ranked No.1 in the world in the Earth and Environmental Source category by the 2019 Nature Index, a respected assessor of global scientific research.

### These Are Our Members



### EV Power for Waste Management

Waste Management now has six electric powered trucks on the road, rising to 20 by December. With a range of 200kms, the trucks' safety devices include a 360° camera, together with video surveillance of vehicle-related activities for security and insurance purposes. Several RCNZ Members are presently upgrading LPG forklifts to the electric versions.



More than 20 years of engineering expertise enables new Partner **MTL NZ Ltd** to provide mechanical, civil and structural engineering and project management for the power generation, renewable energy and water treatment industries in New Zealand and abroad.

In 1997 the last legal distillery in New Zealand closed and hundreds of barrels of whisky were auctioned off, except for 443 barrels of mature product. In 2009 the **NZ Whisky Collection**, comprising far-sighted (and thirsty?) investors bought the entire stock, now being marketed in Canada, Australia, the UK, EU and the US. Ten distilleries throughout New Zealand will benefit from RCNZ developing guidance for safely Managing sites producing this sought-after, volatile product.

**Solenis NZ** returns to our local Responsible Care® family after a brief hiatus. A US-based, multi-national manufacturer of Specialty chemicals, focusing on water intensive industries such as pulp and paper, oil and gas, coatings, chemical processing, mining and power sectors, Solenis operates 41 manufacturing facilities world-wide, employing 5,200 people in 120 countries. The company acquired the specialty water technologies and coatings businesses from well-known companies Ashland, Betz, Connell Bros, Drew and Stockhausen, together with a recent expansion into Central and South America. A recent highlight is the merger with world No.1 chemical company BASF's Performance Chemicals' paper and water businesses.

### Plastics Innovation in Roading and Construction



Pilot studies using plastic waste in advanced road surfacing and construction materials are exceeding expectations. India Dow Chemical surfaced 40 kms of road incorporating 100 tonnes of polyethylene derived from 24m food pouches. Earlier Dow initiatives in Indonesia, India and Thailand demonstrated the plasticized surfaces resist tropical erosion and wear better than the familiar asphalt. In the United Kingdom and the Netherlands, companies are trialing

similar formulations on roads and parking lots. New Plymouth District Council is sponsoring a trial of Plas Mix, developed by Downer and Road Science, for recycling 80,000 yoghurt pots.

Supplementing asphalt and concrete with re-purposed waste plastic vividly demonstrates our industry's commitment to sustainability and the Circular Economy by collaborating in removing more plastic from the waste stream.



### Science Catching More Criminals

Scientists at the Institute of Environmental Science and Research (ESR) have discovered how to separate a criminal's DNA from a mixture of crime scene DNA samples belonging to victims, bystanders and visitors. Together with an Australian colleague, Joanne Wright and Bjorn Sutherland have been awarded the country's top science prize for STRmix, a software programme that successfully untangles DNA collections. Potentially thousands of unsolved crimes involving DNA evidence can now be reassessed. Thanks to the team's success, US Federal Attorneys believe useable DNA evidence in US courts has improved from 40% to 70%.



### Moon Landing Remembered

Distinguished Kiwi scientist Dr William Pickering led the US Jet Propulsion Laboratory through a critical time in the development of unmanned space exploration, including the Mariner flights to Venus and Mars and culminating in the 1966-67 Surveyor lunar landings. Meanwhile, Lockheed Martin has completed the final assembly of the Orion spacecraft as a prelude to circumnavigating the Moon. Designated Artemis-1\*, the first spacecraft designed for deep space exploration, having passed all tests, becomes the manned Artemis-Z mission in 2024, which will deliver the first female and next male astronauts to the Shackleton Crater at the lunar South Pole – the first lunar astronauts since the Apollo 17 flight completed NASA's Apollo programme in 1972.

\*Artemis: Greek Goddess of the Moon and twin sister of Apollo.

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