

WORKSAFE

Mahi Haumarua Aotearoa

Exemption from 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, Phil Parkes, Chief Executive of WorkSafe New Zealand exempt **IXOM Operations Pty Ltd**, from compliance with regulation 12.16 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for the secondary containment system capacity of 5.1.1B substances held in containers in four storage bunkers at 135-147 Waterloo Road, Hornby, Christchurch ("the site"), marked in the IXOM Hornby site layout plan: HNWB/Y/00/000/002 Rev B.

In accordance with section 221(4) of the Act the reasons for granting this exemption are as follows:

- The site has tertiary containment available in addition to the secondary containment.
- The risks can be mitigated by additional controls.
- The costs to IXOM Operations Pty Ltd are not proportionate to the low likelihood and low risk of an event requiring the prescribed capacity of secondary containment.
- The prescribed capacity of secondary containment for hydrogen peroxide has been noted for future review.

In granting this exemption I do so having had regard to the prescribed requirements in regulation 12.16 of the HS Regulations; and being satisfied that the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to the proposed exemption, and that the exemption is not inconsistent with the purpose of the Act; and subject to the following conditions—

IXOM Operations Pty Ltd must:

- (1) Store only containers of hydrogen peroxide (class 5.1.1.B) in the four bunkers, and
- (2) Store no greater than 27,000 L of hydrogen peroxide (in IBCs and packages) in any one bunker, and
- (3) Ensure the maximum container size of hydrogen peroxide is 1000 L, and
- (4) Stack IBCs of hydrogen peroxide no more than two pallets high, and
- (5) Ensure there is a minimum 8,922 L of secondary containment available within the four bunkers, and
- (6) Ensure the secondary containment system of each bunker is inter-connected with its adjacent bunker by openings with a total cross sectional area of at least 300 cm², positioned to enable spillage from a single IBC to be contained within the bunker in which the spillage occurred, and
- (7) Ensure the secondary containment system is at all times free of incompatible materials (including organic materials), and

- (8) Ensure tertiary containment is permanently available by means of the adjacent site sump, and
- (9) Install a valve on the outlet pipe of the site sump and implement a written procedure to close the valve in the event of a hydrogen peroxide incident, and
- (10) Check the site sump for foreign matter monthly and maintain a record of this, and
- (11) Clean the site sump as needed, and maintain a record of this, and
- (12) Ensure that the area immediately around the site sump is free of foreign material and vegetation and any other material that may be reactive with hydrogen peroxide,
- (13) Provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate for the storage of class 5.1.1B substances at the site, and
- (14) Hold a copy of this exemption at the site.

This exemption takes effect on **1 October 2020** and expires on **1 October 2025** unless it is replaced sooner or revoked.

Signed at Wellington this **29** day of September 2020.

For and on behalf of WorkSafe New Zealand:

A handwritten signature in blue ink, appearing to read 'Phil Parkes', written in a cursive style.

Phil Parkes

Chief Executive

WorkSafe New Zealand