

WORKSAFE

Mahi Haumaru 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 at WorkSafe New Zealand, exempt IXOM Operations Pty Ltd from compliance with regulation 12.16(1) of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for the site at 166 Totara Street, Mount Maunganui ('the site').

I do so 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) build an overflow from the outdoor secondary containment system to the adjacent sump within 6 months of the date of this exemption; and
- (2) notify WorkSafe (hsapplications@worksafe.govt.nz) when such work is completed; and
- (3) on completion of the work to build the overflow, ensure there is a combined minimum 44,100 litres of secondary containment available in the outdoor peroxide storage area and hydrogen peroxide packaging plant building containment areas; and
- (4) have the ability to capture 31,200 litres of hydrogen peroxide in the event that the secondary containment system is exceeded; and
- (5) within the hydrogen peroxide packaging plant and outdoor storage area, store no greater than –
 - (a) 126,000 litres of hydrogen peroxide in IBCs; and
 - (b) no greater than 24,600 litres of hydrogen peroxide in containers 200 litres; and
- (6) ensure that hydrogen peroxide is stored in containers of no more than 1000 litres capacity, and
- (7) not stack IBCs of hydrogen peroxide any more than two pallets high; and

- (8) not store other hazardous substances (apart from hydrogen peroxide) in the outdoor peroxide storage area and in the hydrogen peroxide packaging plant building; and
- (9) ensure daily checking and cleaning of the sump and a 12 day housekeeping check of the secondary containment systems; and
- (10) provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate; and
- (11) ensure a copy of this exemption is held at the site.

This exemption takes effect on 31 March 2021 and expires on 31 March 2026 unless it is replaced sooner or revoked.

Signed at Wellington this 5th day of March 2021

Phil Parkes, Chief Executive
WorkSafe New Zealand