

Note: This safe work instrument sets out proposed amendments to the Requirements for Specified Fumigants safe work instrument. The amendments relate to the fumigant AFE-HFP.

The requirements for AFE-HFP will be incorporated into the final safe work instrument for Requirements for Specified Fumigants.

Reference:



This safe work instrument is administered by Worksafe New Zealand. For more information please see:

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Health and Safety at Work (Hazardous Substances— Requirements for Specified Fumigants) Safe Work Instrument 2017

This safe work instrument is approved under section 227 of the Health and Safety at Work Act 2015 by the Minister for Workplace Relations and Safety, being satisfied that appropriate consultation has been carried out under section 227(3) of that Act.

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Safe Work Instrument

1 Title

This is the Health and Safety at Work (Hazardous Substances—Requirements for Specified Fumigants) Safe Work Instrument 2017.

2 Commencement

This safe work instrument comes into force on 1 December 2017.

3 Overview

In this safe work instrument—

- (a) clause 5 requires AFE-HFP to comply with specified regulations:
- (b) clause 6 modifies the notification requirements in regulation 14.7(2) of the Regulations (under regulation 14.7(4) of the Regulations) for fumigation using AFE-HFP:
- (c) clause 7—
 - (i) modifies the signage requirements in regulation 14.10(1) of the Regulations (under regulation 14.10(4) of the Regulations) for fumigation using AFE-HFP; and
 - (ii) specifies an alternative time by which a PCBU must ensure signs are removed, for the purposes of regulation 14.10(5)(b) of the Regulations, for fumigation using AFE-HFP.
- (d) clause 8—
 - (i) requires AFE-HFP to comply with regulation 14.20 of the Regulations (under regulation 14.20(1)(c) of the Regulations); and
 - (ii) specifies the maximum area of the application block, if AFE-HFP is applied:
- (e) clause 9—
 - (i) requires AFE-HFP to comply with regulation 14.26 of the Regulations (under regulation 14.26(1)(b) of the Regulations); and
 - (ii) modifies the soil condition requirements in regulation 14.26(2)(a) in relation to fumigation using AFE-HFP.

4 Interpretation

- (1) In this safe work instrument, unless the context otherwise requires,—
AFE-HFP means AFE-HFP, HSNO approval number HSR101251

Requirements applying to AFE-HFP

5 AFE-HFP required to comply with specified regulations

- (1) AFE-HFP is required to comply with:
 - (a) regulation 14.4 of the Regulations, under regulation 14.4(1)(c) of the Regulations:
 - (b) regulation 14.21 of the Regulations, under regulation 14.21(1)(c) of the Regulations:
 - (c) regulation 14.22 of the Regulations, under regulation 14.22(1)(c) of the Regulations:
 - (d) regulation 14.23 of the Regulations, under regulation 14.23(1)(c) of the Regulations:
 - (e) regulation 14.24 of the Regulations, under regulation 14.24(1)(c) of the Regulations:
 - (f) regulation 14.26 of the Regulations, under regulation 14.26(1)(b) of the Regulations:
 - (g) regulation 14.27 of the Regulations, under regulation 14.27(1)(b) of the Regulations.
- (2) To avoid doubt, subclause (1) applies in addition to any requirements under the Regulations that apply to, or in relation to, AFE-HFP.

6 Notification of intended fumigation - AFE-HFP

- (1) When notifying Fire and Emergency New Zealand in accordance with regulation 14.7(2)(a) of the Regulations, a PCBU who intends to carry out fumigation using AFE-HFP must supply information about:
 - (a) potential chemical, toxicological, or ecotoxicological hazards:
 - (b) any relevant prescribed exposure standard or tolerable exposure limit for the substance:
 - (c) first aid measures:
 - (d) minimum personal protective equipment requirements:
 - (e) evacuation procedures:
 - (f) substance detection equipment:
 - (g) mitigation measures.
- (2) In addition to complying with the notification requirements in regulation 14.7(2) of the Regulations, a PCBU who intends to carry out fumigation using AFE-HFP must notify each person who may be affected by the fumigation who is normally present within 100 m from the outer edge of the buffer zone.

7 PCBU must erect signs - AFE-HFP

- (1) A PCBU with management or control of fumigation using AFE-HFP must erect signs that meet the requirements of regulation 14.10(1) and 14.10(3) of the Regulations around the perimeter of the buffer zone at every point of entry to the buffer zone (rather than at the places referred to in regulation 14.10(1)(a) or (b) of the Regulations, as applicable).
- (2) For the purposes of regulation 14.10(5)(b) of the Regulations, the PCBU with management or control of fumigation using AFE-HFP must ensure that signs are removed within 72 hours of the end of the buffer zone period.

8 Size of application block - AFE-HFP

- (1) For the purposes of regulation 14.20(2)(c) of the Regulations, a PCBU with management or control of fumigation using AFE-HFP must ensure that the application block is not more than 32 hectares.

9 Modified soil condition requirements

- (1) For the purposes of regulation 14.26(3) of the Regulations, regulation 14.26(2) applies to AFE-HFP as if regulation 14.26(2)(a) were replaced by the following:
 - (2) "(2) The PCBU must ensure at the beginning of the application that—
 - (3) (a) the soil temperature at the depth of injection of AFE-HFP is a minimum of 10°C and does not exceed 27°C; and"

Made at Wellington on Day Month Year.

Name
Minister for Workplace Relations and Safety

Date of notification in *Gazette*: [Click here to enter a date.](#)

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