

WORKSAFE

Mahi Haumarū 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 Hiringa Refuelling New Zealand Limited from compliance with regulation 17.17 (1)(a), (3), and (4) of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for the Multiple Element Gas Containers (MEGCs) site at 25 Roscommon Road, Wiri, Auckland, 2104 ('the site') used solely for stationary storage of hydrogen.

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 it, and that the exemption is not inconsistent with the purpose of the Act; and subject to the following conditions—

Hiringa Refuelling New Zealand Limited must –

- (1) ensure each pressure vessel is compliant with EN 12245:2009+A1:2011; and
- (2) ensure each MEGC used as a stationary tank is compliant with Chapter 6.8 of the *Agreement Concerning the International Carriage of Dangerous Goods by Road* (ADR 2021); and
- (3) provide a copy of this exemption to any compliance certifier engaged to issue a location compliance certificate; and
- (4) hold a copy of this exemption at the site.

This exemption takes effect on 18 March 2022 and expires on 18 March 2027 unless it is replaced sooner or revoked. This exemption is given the reference *HS2107*.

Signed at Wellington this 4th day of March 2022



Phil Parkes
Chief Executive
WorkSafe New Zealand