

# Notice of Exemption

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In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), Pan Pac Forest Products Limited is exempted from compliance with regulations 12.9(1)(b)(i) and 12.9(1)(b)(ii) of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) from the separation requirements between the hydrogen peroxide tank (ID 853231) and the DTPA tank (ID 853241) at their site located at 1161 State Highway 2, Wairoa Road, Napier ('the site').

Pan Pac Forest Products Limited must –

- (1) maintain the current configuration of the hydrogen peroxide tank (ID853231) and the DTPA tank (ID852341) within separate bunds, with a distance of no less than 6.9 metres between the tanks as shown in the Pan Pac Forest Limited, Whirinaki Mill, Napier, Chemical storage plant layout guide drawing, storage tanks, drawing number A/1/85/M/4001, sheet ½, Rev B (undated); and
- (2) maintain the existing engineered control to prevent the mixing of content from the hydrogen peroxide bund and the DTPA bund, comprising valves interlocked such that only one valve can open at any time and can only be opened when the sump is empty; the engineered control is to be operated in accordance with *Chemical Storage Area Bund Drainage – Functional Description*; and
- (3) ensure the concentration of hydrogen peroxide held in the hydrogen peroxide tank does not exceed 60%; and
- (4) not recommission the former sulphuric acid tank (ID 853251) to store a hazardous substance that is incompatible with hydrogen peroxide, DTPA or any other chemical held in the chemical storage area; and
- (5) no later than 30 June 2024, meet spill angles (crest locus limits) for the hydrogen peroxide tank and the DTPA tank to ensure a spill from either tank is captured inside the bund in which the tank from which the spill occurs is located, either by
  - i. ensuring the wall height is adequate to meet the spill angle; or
  - ii. installing screens on the bund wall or side of the tank that direct spills to stay in the bund; and
- (6) maintain the integrity of the common bund wall between the hydrogen peroxide tank and the DTPA tank to prevent seepage or flow of liquid between the bunds; and
- (7) have an automated shut-off on the hydrogen peroxide tank that:
  - i. can stop the flow of hydrogen peroxide into the peroxide tank; and
  - ii. is triggered by a high-level alarm on the peroxide tank; and
  - iii. does not over-pressure the associated lines and pipework when engaged; and
  - iv. ensure the written procedures for the filling of the hydrogen peroxide tank, are maintained and are readily available for the PCBU delivering the hydrogen peroxide; and

- (8) Undertake the following inspections in accordance with the frequencies specified:
- i. daily inspections to prevent organic material building up in the peroxide bund; and
  - ii. monthly inspections and maintenance of the common bund wall between the hydrogen peroxide tank and the DTPA tank; and
  - iii. monthly inspections and maintenance of the hydrogen peroxide and DTPA fill-in pipework; and
  - iv. continuously monitor the temperature of the hydrogen peroxide tank and provide tank cooling if the liquid is within 15°C of its decomposition temperature; and
- (9) maintain accurate records of the inspections, maintenance, and outcomes of the requirements set out in condition (8); and
- (10) provide a copy of the records required by condition (9) and a copy of this Notice of Exemption to any compliance certifier engaged to issue a location compliance certificate for the chemical storage area or a stationary container system compliance certificate for the hydrogen peroxide and DTPA tanks; and
- (11) hold a copy of this Notice of Exemption at the site.

This exemption takes effect from the date specified in the *Gazette* notice required by section 221 HSWA, which will be 4 December 2023 and expires on 4 December 2028 unless it is replaced sooner or revoked. This exemption is given the reference HS2303

Signed at Wellington this 27 day of November 2023



Steve Haszard  
Chief Executive  
WorkSafe New Zealand