

# Hazardous substances:

## A guide for business owners

### What are hazardous substances?

A “hazardous substance” is any substance that has one or more of the following “hazardous properties”:

- Explosiveness
- Flammability
- Ability to oxidise (accelerate a fire)
- Human toxicity (acute or chronic)
- Corrosiveness (to human tissue or metal)
- Ecotoxicity (with or without bioaccumulation)
- Capacity, on contact with air or water, to develop one or more of the above properties.

Check out the Environmental Protection Authority (EPA) website at [www.epa.govt.nz](http://www.epa.govt.nz) for further details on hazardous substances or contact the Council on phone 941 8999.



### The law regarding hazardous substances

The Hazardous Substances and New Organisms Act (HSNO) 1996 has been in force for hazardous substances since 2001.

It is administered by the EPA who imposes controls on any approved use of Hazardous Substances.



Anyone involved in the handling, sale or servicing of any of these substances must comply with the controls, throughout the life cycle of the substance.

As a business owner you are responsible for ensuring that your site complies with the relevant parts of the HSNO legislations including signage and separation distances. A residential customer using LPG for heating will also have to obtain a Location Test Certificate for larger containers greater than 100kg in total.



## Classification of hazardous substances?

How these substances are classified and what controls are needed depends on their properties. Classification is within nine groups:

Class 1: Explosives	For example: dynamite, bullets, fireworks	
Class 2: Flammable gases	For example: LPG bottles, high pressure cylinders	
Class 3: Flammable liquids	For example: Diesel, Gasoline, Kerosene	
Class 4: Flammable solids	For example: Magnesium, matches	
Class 5: Oxidisers	For example: Hydrogen peroxide, sodium nitrate, nitric acid	
Class 6: Toxics	For example: Lead paint	
Class 7: Radioactive (these are administered by The National Radiation Laboratory)	For example: Uranium, Thorium, Plutonium	
Class 8: Corrosives	For example: Hydrochloric acid, Caustic soda	
Class 9: Ecotoxics (harmful to the environment or a specific ecosystem)	For example: Pesticides	

## Why is it important to manage hazardous substances?

The EPA states that the purpose of HSNO law is to 'protect the environment, and the health and safety of people and communities, by preventing or managing the adverse affects of hazardous substances and new organisms'.

If hazardous substances are stored at your business, it is important that all rules are followed.

**These include your business premises having the following:**

- hazardous materials spill control measures
- methods of safely and effectively containing leaks
- a plan for making employees aware of various containment techniques
- operational procedures that place an emphasis safety and
- hands-on practice.

**Your responsibility also includes carrying out risk assessment which involves looking at:**

- the use, handling, generation, release of hazardous substances
- who might be affected and likely exposure level/extent
- nature of exposure (breathing in, swallowing, skin absorption, environmental impact)
- current measures to prevent or control exposure effectiveness and use
- accidental leakage, spillage or release
- cleaning and maintenance operations

These rules will ensure your employees and public safety. Awareness of and compliance with the rules is key to preventing incidents when managing hazardous substances.

## Why certification is a must

Certification is the responsibility of the employer and is mandatory. Certification helps your workers to better prepare themselves to work safely around hazardous substances.

Certification has several important elements:

- providing full information on properties of hazardous materials used or stored
- recognising and identifying hazardous materials
- personal protective equipment
- emergency scene command and control
- incident control tactics and strategies
- decontamination.

### How much does it cost to get certified?

Test certifiers (the people who certify hazardous substances locations) are privately employed and charge a variety of fees.

### Contacting a test certifier

The EPA website has a register of test certifiers available that you can search for by region or type, e.g. approved handlers, stationary container systems, etc. The register is at: [www.epa.govt.nz/search-databases/Pages/testcertifiers-search.aspx](http://www.epa.govt.nz/search-databases/Pages/testcertifiers-search.aspx). A list of local test certifiers is also available in the Yellow Pages.

### Why should I do it?

Non-compliance could lead to issues being raised by insurance companies if you are seeking compensation for incidents, as well as criminal prosecution.

*It is an offence against the HSNO Act to fail to comply with the requirement to obtain a test certificate as specified in any of the HSNO regulations. Under this Act there are penalties of up to three months imprisonment or a fine not exceeding \$500,000 per offence and further ongoing penalties of \$50,000 per day the offence is continued.*



## Types of certification

**Approved Handlers:** Must be able to demonstrate that they are competent to handle specific substances. Council Hazardous Substances Officers can help you to identify whether you require an approved handlers certificate for your substances.

**Approved Fillers:** Certification is similar to approved handlers, but is issued to people who fill LPG bottles and other gas bottles.

**Location Test Certificates:** Is issued for premises where quantities of hazardous substances are stored.

**Stationary Container Certificates:** Is issued for tanks containing hazardous substances. This certificate is issued once the tank complies with the regulations. One of the most common situations for this certification is diesel tanks.

There are other issues which can affect certification, i.e. signage, emergency response, and location certificates. Contact a Test Certifier to determine if a test certificate is required.

## Further information

The Council can provide some general HSNO information. If the area is a workplace however, contact the Ministry of Business, Innovation and Employment (formerly the Department of Labour) for more information on HSNO in this area. Their time and advice is free and impartial.

**Please note:** All advice that Council Hazardous Substances Officers give, as well as their time during an inspection, is free. Please contact a Council Hazardous Substances Officer on 03) 941 8999, or visit our website at [www.ccc.govt.nz/business/healthsafety/hazardous.aspx](http://www.ccc.govt.nz/business/healthsafety/hazardous.aspx).

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