

ENVIRONMENTAL RISK MANAGEMENT AUTHORITY
NGA KAIWHAKATUPATO WHAKARARU TAIAO

ERMA
New Zealand



A QUICK GUIDE TO

Completing a Location Certificate

*This document is confined to Class 2 to 5 substances.
Explosives Class 1, are dealt with separately*

ERMA NEW ZEALAND
20 Customhouse Quay
P O Box 131
WELLINGTON

Corner Customhouse Quay and Waring Taylor Street

Phone +64 4 916 2426
Facsimile +64 4 916 0433

Background

The Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 set out what needs to be certified at a location. This guideline examines the criteria for class 2 to 5 substances. Location certificates are not required where class 6, 8 and 9 substances are located. Explosives are dealt with elsewhere.

The items to be certified for each class 2 to 5 substances are similar although the detail of the controls will vary depending on the hazardous nature of the substance.

Where do I go for Information on What is to be Certified?

The regulations that define what is to be confirmed are:

- | | |
|------------------------------|-------------------------|
| ➤ Class 2.1.1, 2.1.2 and 3.1 | Regulation 81 |
| ➤ Classes 3.2 and 4 | Regulation 82 |
| ➤ Class 5.1.1 and 5.1.2 | Regulations 99 and 100 |
| ➤ Class 5.2 | Regulations 121 and 122 |

These regulations in turn refer you to other regulations that need to be certified as well as appropriate New Zealand Standards.

But What do I Really Need to do?

The checks you carry out may be broken down into six elements:

- Administrative Controls
- Control of the Ignition
- Segregation and Storage
- Protective Equipment and Clothing
- Spills and Failures
- Identification and Signage
- Emergency Management

What Does Each Element Involve?

The following is a guide only you must, of course, refer to the regulations for a full understanding of the requirements:

Administrative Controls

You must certify that:

- An Enforcement Officer has been provided with details of the location, the substances quantities, manufacturing and use. Regulations 77(2), 94(3), 116(3).
- Where required Approved Handlers have been appointed and they hold current certificates. Regulations 81(b), 82(b), 99(b), 121(b).
- The substances are held in secure areas. Regulations 74, 123.
- There is a site plan available for inspection. Regulation 77(4)(b), 94(5)(b), 116(5).
- For class 5 substances, there are documented procedures to ensure people entering the site do not bring in incompatible materials and that direct contact with class 5 materials is prevented. In addition, where substances are manufactured or used the documents must include procedures to ensure people leaving the site are free of the substances. Regulations 95(1)(e), 117(1)(e).

Control of the Ignition

In this element the controls will be quite different depending on the hazardous nature of the substance. There are four broad distinctions that are treated quite separately in the regulations, notably, classes 2.1.1, 2.1.2 and 3.1; classes 3.2 and 4; classes 5.1.1 and 5.1.2; and class 5.2 substances. The required outcomes may very well be the same but the means to achieve these outcomes are quite different.

Class 2.1.1, 2.1.2 and 3.1

You must check that:

- A hazardous atmosphere zone has been established. Regulation 58.
- A set of conditions has been selected to reduce the likelihood of unintended ignition and the installation conforms to these conditions. Regulations 60 to 70.

Class 3.2 and 4

You must check that:

- Substances are not exposed to ignition sources. Regulation 79.
- Temperatures are within the control temperature and where necessary there is a temperature control plan and system that monitors and controls the temperature. Regulation 72.
- Methods have been selected to reduce the likelihood of unintended ignition and the installation conforms to these conditions. Regulations 73, 74, 75, 79.

Class 5.1.1 and 5.1.2

You must check that:

- The control of unintended ignition, combustion or explosion and their adverse effects. Regulations 95, 97.
- Fixed structures and installed equipment are constructed from compatible materials. Regulation 99(f).

Class 5.2

You must check that:

- The control of unintended ignition, combustion or explosion and their adverse effects. Regulations 117, 118, 119.
- Fixed structures and installed equipment are constructed from compatible materials. Regulation 121(f).

Segregation and Storage

Regulations address the segregation of incompatible substances. You must check that

- The class 2, 3 and 4 substances listed in the schedules as incompatible are correctly stored. Regulation 76.
- Class 5 substances are not stored with substances that are defined as incompatibility. Regulations 87,91(1)(a), 104, 106(2).

Protective Equipment and Clothing

This requirement is confined to Class 5 substances. You must check that

- The equipment and clothing present complies with the requirements. Regulation 92, 103, 112, 126.

Spills and Failures

For Class 5 substances you must check:

- There are documented procedures to ensure any adverse effects of spills or failures of containers are controlled. Regulations 93, 113.

Identification

For all classes of substance you must certify signage is in place as required by the Hazardous Substances (Identification) Regulations.

Emergency Management

For all classes of substance you must certify emergency management systems conform to those set out in the Hazardous Substances (Emergency Management) Regulations.

What Tools will be Available to Help You?

- ERMA will issue or approve a *Codes of Practice* that will effectively be a legally acceptable means by which controls may be met. They are intended to be the day to day operator's guide to compliance.
- Many of the requirements of HSNO are covered in either *New Zealand or Australian Standards*. Several are referred to in the HSNO regulations.

What About Other Certificates?

Other certificates may very well make your task simpler as these will confirm the design and quality of equipment that you are certifying. Examples are:

- Test Certificates issued for other purposes, for example the proposed Technical Regulations for Compressed Gases; the proposed Regulations for Transport of Bulk Liquids and Gaseous Hazardous Substances by Road and Rail; and the proposed Regulations for Static Storage Tanks and Ancillary Equipment.
- The electrical installation 'Verification Dossier' may confirm electrical compliance. A certificate of compliance will be issued on completion of a new hazardous area installation and since 1994 electrical regulations have required an electrical safety check be carried out every four years. Any modifications or maintenance should be logged.

Other Guidelines in this series

Becoming a Test Certifier
What do I need to know to be a Test Certifier
Certificates for Approved Handlers

Your 'Working' Arrangements with ERMA NZ
Professional Indemnity
Conflict of Interest Issues for Test Certifiers