

# > Quick Guide

## Location Test Certificates

Preventing or managing risk to people and the environment

The Hazardous Substances and New Organisms (HSNO) Act 1996 covers the safe management of all hazardous substances. This includes those that are explosive, flammable, toxic and harmful to the environment. Hazardous substances will be gradually transferred from previous law to the HSNO Act over the next three years. This is known as the transfer process.

The HSNO Act requires that where certain hazardous substances are held hazardous substance locations be identified. If these locations hold more than a specified quantity then a Test Certificate is needed for the location<sup>1</sup>.

### What is a Location Test Certificate?

In simple terms a Location Test Certificate is a bit like a Dangerous Goods Licence. If you hold very flammable substances or oxidising substances at your facility and they exceed the amounts set down in the legislation, you will need a Location Test Certificate and a Test Certifier will need to visit your facility to issue it. There are some limitations and exceptions to this but these apply mainly to flammable substances stored on farms and to exempt laboratories.

### How do I know if I need a Location Test Certificate?

The requirements are set out in the Hazardous Substances (Class 1–5 Controls) Regulations<sup>2</sup>. If you hold a Class 2 Flammable Gas, Class 3 Flammable Liquid, Class 4 Flammable Solid or Class 5 Oxidising Agent or Organic Peroxide, you could very well require a Location Test Certificate. Class 6 Toxic, Class 8 Corrosive and Class 9 Ecotoxic Substances do not trigger Location Test Certificates. As a general rule, if you presently have a Dangerous Goods Licence, then you will probably need a Location Test Certificate in the future, although this may not always be the case. You will need to find out the classifications of the substances you hold, the **controls** that apply and the **quantity** at which they apply. This information can be found on the ERMA New Zealand website <http://www.ermanz.govt.nz/hs/transfer-dangerous-goods.asp> (*Step by Step Guide to Finding Controls and Other Useful Links*).

### Who is responsible for the Location Test Certificate?

The Person in Charge at the place of work has the responsibility for obtaining Location and other Test Certificates. The Person in Charge will need to apply for the Location Test Certificate each year although the regulations will allow you to apply for an extension of up to three years, if you meet certain standards. The legislation places several responsibilities on the Person in Charge and these are covered in a separate *Quick Guide - Person in Charge*<sup>3</sup>.

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<sup>1</sup> This publication does not address the Location Test Certificate requirements for Class 1 Explosives.

<sup>2</sup> Available on [www.legislation.govt.nz](http://www.legislation.govt.nz)

<sup>3</sup> Available on [www.ermanz.govt.nz](http://www.ermanz.govt.nz)

## Who will provide me with a Location Test Certificate?

A Test Certifier approved by ERMA New Zealand will issue the Location Test Certificate. You can find a list of Test Certifiers on the ERMA New Zealand website<sup>4</sup>. Test Certifiers are not employed by ERMA New Zealand, they are private individuals or companies and offer a service to industry. You may choose the Test Certifier who certifies in your area of business. There is no set fee, however, it is a straight forward commercial arrangement between you and the Test Certifier.

## What will the Test Certifier do?

The Test Certifier does not undertake a complete compliance check but will look at:

- administrative controls
- control of the ignition sources, including hazardous atmosphere zone and controlled zone provision
- segregation and storage of hazardous substances
- protective equipment and clothing in some instances
- signage
- emergency management, including secondary containment, provision.

Test Certifiers will tell you what information they need. To guide you on what they may need, they may send you a form or checklist to complete before they visit to inspect your site.

## What do I need to do to ensure I get the Test Certificate?

### → Administrative Controls

Typically, you must be able to demonstrate that;

- You have informed the local Enforcement Officer of details of your location, the substances and quantities that are manufactured, used or stored. If you have renewed your Dangerous Goods Licence by advising ERMA New Zealand, this will be sufficient. However, in future if you make a change to your location or substances used, your local Enforcement Officer has to be informed.
- If an Approved Handler<sup>5</sup> is required, they must have the necessary Test Certificates and be available to provide assistance.
- The substances are held in areas which can be secured.
- A site plan is available for inspection which shows the location of the hazardous substances.
- For Class 5 substances, there are documented procedures to ensure people entering the site do not bring in incompatible materials and direct contact with Class 5 materials is prevented. In addition, where Class 5 substances are manufactured or used, the documents must include procedures to ensure people leaving the site are free of the substances.

### → Control of Ignition Sources

These controls will be quite different depending on the hazardous nature of the substance. There are four broad areas that are treated quite separately in the regulations and cover

- Class 2 and 3.1
- Class 3.2 and 4
- Class 5.1.1, 5.1.2, and
- Class 5.2 substances.

<sup>4</sup> Find the Test Certifiers Register at <http://www.ermanz.govt.nz/search/test-cert-reg.asp>

<sup>5</sup> See Quick Guide - Approved Handlers

Clearly, you will only be concerned with the class you hold. If you are uncertain about what you should do contact a Test Certifier or a Hazardous Substances Advisor or your local Enforcement Officer. For each group you must show the following:

**Class 2.1.1, 2.1.2 and 3.1**

- A hazardous atmosphere zone has been established and its extent documented
- You have systems in place to reduce the likelihood of unintended ignition

**Class 3.2 and 4**

- Substances are not exposed to ignition sources
- You have a temperature control plan and system that monitors and controls the temperature of substances
- You have systems in place to reduce the likelihood of unintended ignition

**Class 5.1.1, 5.1.2 and 5.2**

- You are controlling unintended ignition, combustion and explosion as well as their adverse effects
- Structures and equipment are constructed from compatible materials

→ **Segregation and Storage**

You must segregate incompatible substances and ensure that:

- Class 2, 3 and 4 substances listed in the regulations as incompatible with each other are correctly stored.
- Class 5 substances are not stored with substances with which they are incompatible.

→ **Protective Equipment and Clothing**

For Class 5 substances you must show that the equipment and clothing present complies with the requirements. Remember the HSNO Regulations may impose additional requirements for personal protective equipment and clothing if the substances have toxic properties.

→ **Signage**

For all classes of substance you must have signage in place as required by the Hazardous Substances (Identification) Regulations, although you do not have to change this immediately as time has been allowed for you to implement these regulations. The need for signage depends on the type and quantity of hazardous substances you hold.

→ **Emergency Management**

For all classes of substance you must have emergency management systems to satisfy parts of the Hazardous Substances (Emergency Management) Regulations. Notably:

- Sufficient fire extinguishers suitably located and of the right type.
- If you hold more than a specified amount of certain hazardous substances, emergency response plans and secondary containment for liquid substances.

## Examples of some substances, their classifications and threshold quantities for locations

The following is a guide to show you where storing certain quantities of substances may trigger Location Test Certificates.

Substance	Classification	Location Test Certificate Required
LPG	2.1.1A	>100kg
Petrol	3.1A, 6.1E, 6.3B, 6.7B, 9.1B	Open or closed containers >50 litres
Acetone	3.1B, 6.1E, 6.3B, 6.4A	Open containers: >50 litres Closed containers >5litres: >100 litres Closed containers <5litres: >250 litres
Diesel Fuel;	3.1D, 6.1E, 6.3B, 6.7B, 9.1B	Not required
Hydrogen Peroxide 20-60% aqueous solution	5.1.1B, 6.1D, 6.9B, 8.2B, 8.3A, 9.1D, 9.3C	>500litres

### Further Information

Obtain copies of other Quick Guides on Approved Handlers, Person in Charge, Labelling, Packaging, Signage, Emergency Management and Tracking from ERMA New Zealand. *ERMA New Zealand User Guide to Control Regulations* available on our website, provides further details on the HSNO regulatory system for hazardous substances.

### Contact details



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