

> Quick Guide Tracking

Preventing or managing risk to people and the environment

The Hazardous Substances and New Organisms Act 1996 (HSNO) aims to protect people and the environment. To achieve this aim, highly hazardous substances must be managed effectively throughout their lifecycle and this is assisted by applying tracking provisions to the most hazardous substances. The Hazardous Substances (Tracking) Regulations 2001 set out these requirements to help ensure they are managed effectively.

This Guide describes responsibilities for tracking and the documentation required.

What is tracking?

Tracking is the recording of what happens to hazardous substances throughout their lifecycle (ie from the point of import or manufacture in New Zealand, through distribution and transport to the point of use and/or disposal). For most substances the lifecycle endpoint is use, eg a pesticide sprayed onto a crop. Figure 1 shows a typical lifecycle for a hazardous substance.

Tracking also enables us to make sure there are appropriately trained people responsible for the hazardous substance, and that if the substance is flammable the place where it is stored has a Location Certificate.

Why track hazardous substances?

Tracking ensures that qualified persons are handling the substances and reduces the risk that a hazardous substance will go astray. Tracking also helps demonstrate that substances which are highly hazardous are being effectively managed as well as compliance with HSNO controls. Further, tracking provides information for managing emergencies involving the substances.

What substances are tracked?

Substances requiring tracking are those that have one or more of the hazard classifications listed in Schedule 1 of the Hazardous Substances (Tracking) Regulations. Tracked substances include:

- Flammable liquids (Classes 3.1A and 3.2A)
- Flammable solids (Classes 4.1.2A, 4.1.2B, 4.1.3A, 4.2A and 4.3A)
- Oxidisers (Classes 5.1.1A, 5.2A and 5.2B)
- Toxic substances (Classes 6.1A, 6.1B and 6.1C)¹
- Ecotoxic substances (Classes 9.1A, 9.2A, 9.3A and 9.4A)
- Explosive substances (Class 1) except for: small fireworks, safety ammunition, some categories of flares and signalling devices for emergency use, model rocket engines, some articles of Class 1.4.S, and small quantities of propellant powders and gunpowder.

¹ Previously known as 'deadly' or 'dangerous' poisons under the Toxic Substances Act.

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ER-QG-30-1 03/05

It is important that you check the individual substances that you use as the requirement for tracking is removed for some specific substances, for example, some specific pesticides with a 9.2A classification are not required to be tracked.

Substances excluded from tracking

Tracking does not apply to:

- Substances required for motive power of a vehicle, aircraft or ship when in the vehicle, aircraft or vessel
- Any fuel gas used in a distribution system, gas installation or gas appliance that is subject to the Gas Act.

Who is responsible for keeping records?

The Person in Charge² of a site where a tracked substance is kept is responsible for keeping records. The records required and examples of the form of the records are described in Table 1. Schedule 2 of the Hazardous Substances (Tracking) Regulations sets out the information requirements for records in detail.

Where does tracking start?

Tracking commences at the premises used by the manufacturer if the substance is manufactured in New Zealand, or at the port if the substance is imported. If the substance is imported, the normal UN or ICAO transport documentation relating to the shipment will be acceptable records up to the importer's premises, or person storing the substance on behalf of the importer.

Transport

Tracking applies to transport but the following differences apply compared to other places:

- There is no need to retain records of the substance on a vehicle for 12 months.
- For land transport, compliance with the land transport rules is considered equivalent to the HSNO tracking rules. The Person in Charge of the vehicle is also deemed to be accepted as an Approved Handler provided they hold a recognised qualification, eg a (D) endorsed drivers licence.
- For sea and air transport the Maritime and Civil Aviation rules are considered equivalent to the HSNO tracking rules.
- Transit depots are integrated with the transport activity and will be required to keep records in accordance with the transport rules. However, they will be required to meet all HSNO requirements for the physical location such as segregation and electrical equipment design.
- A person sending tracked substances from one location to another must check that the receiving location meets the requirements of the tracking regulations. However, they will not be required to make the same checks on the transport used to convey the substance, except to ensure that the driver of a vehicle complies with the relevant transport rules.

Handling of Tracked substances

Tracked substances are required to be under the personal control of an Approved Handler or otherwise secured under lock and key. In the case of flammable tracked substances there is also the requirement for the site to have a Location Test Certificate.

² The legislation places many responsibilities on the Person in Charge. These are covered in a separate Quick Guide – Person in Charge available on www.ermanz.govt.nz.

What information do I need before transfer?

Before a substance is transferred to another location the Person in Charge responsible for the transfer must ensure that:

- The site receiving the tracked substance has an Approved Handler who will take responsibility for that substance.
- If the substances are explosives, flammables or oxidisers the premises receiving the tracked substance holds a Location Test Certificate³ if required to do so. This will depend on the quantities and classifications of the substances held.
- Any place the substance is to be held during transit complies with the emergency requirements and transit depot requirements of the hazardous substances regulations.

Implementation

The HSNO requirements are being implemented on a progressive basis	Tracking requirements effective from:
• If the substances requiring tracking are dangerous goods or scheduled toxic substances	1 January 2005
• If the substances requiring tracking are pesticides	1 January 2005
• If the substances requiring tracking are fumigants	1 May 2005
• If the substances requiring tracking are vertebrate toxic agents	1 May 2005

What information do I need to record?

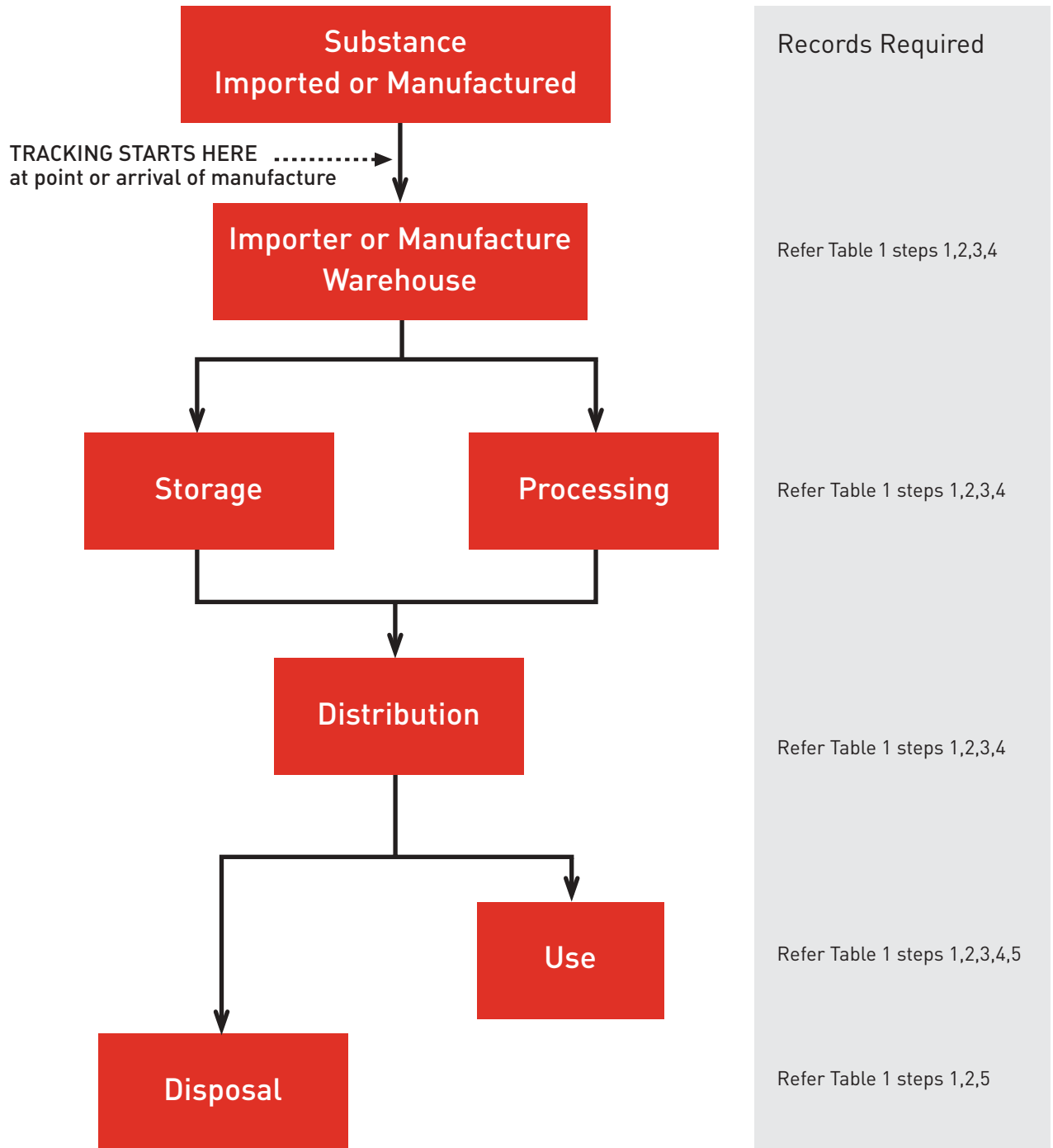
Table 1 sets out the records required and the form that the records could take. In many cases normal commercial records are acceptable providing they are readily accessible if required.

³ Test Certificate requirements are covered in Quick Guide – Approved Handlers and Quick Guide – Location Test Certificate available on www.ermanz.govt.nz.

Table 1: Tracking Records Required

Step	Record requirements	Example record	Who keeps the record?
1	<p>Approved Handler in control of the substance</p> <p>The person's name and position within the organisation;</p> <p>The physical address of the person's place of work; and</p> <p>The substances or classes and phases of the lifecycle for which the person is approved.</p>	A copy of the Approved Handler's certificate held on file, the name and physical address of the organisation	Person in Charge of the place
2	<p>Substance information</p> <p>Unequivocal identification of the substance such as the trade name, common name or the ERMA approval name and number;</p> <p>The total quantity of the substance under the control of the Approved Handler at any one time. This record will change daily with substances being received and dispatched;</p> <p>Location of Tracked Substance ie where exactly the substance is stored within the depot or building;</p> <p>Batch or package number (where required).</p>	Delivery dockets, stock records; electronic database systems; and/or other hard copy records	Person in Charge of the place
3	<p>Transfer to another place</p> <p>Unequivocal identification of the substance and the amount transferred;</p> <p>Address of the place and the identity of the Approved Handler (including Approved Handler registration number if available) to whom the substance is being sent;</p> <p>Position of the Approved Handler within their organisation; and</p> <p>Date on which transfer occurred.</p>	Consignment/stock records; electronic database systems; Approved Handler's certificate; Location/stationary container certificate; and/or other hard copy records	Person in Charge of the place sending the substance
4	<p>Transport</p> <p>As per the Transport Act requirements</p>	A consignment note and a Transport of Hazardous Substances Declaration	Person in Charge of the vehicle
5	<p>Lifecycle endpoint (use, treatment or disposal, including accidental spills)</p> <p>The manner of disposal ie how the substance was used, consumed or released etc;</p> <p>The amount of substance disposed of and the date of disposal;</p> <p>The location where the substance was disposed of.</p>	Spray diaries; electronic database systems; and/or other hard copy records	Person in Charge of the place where the use or disposal occurs

Figure 1: Typical Hazardous Substances Lifecycle Flow and Tracking Records Required



Availability of records

The information identified in Table 1 needs to be readily retrievable. It must be available to a person within 10 minutes of requiring the information. An enforcement officer entering the site must be able to identify the location and quantity of a substance within two minutes of viewing the record. If multiple record systems, such as a database and hard copy records are used, they will need to be cross referenced to ensure all the information is retrievable. The documentation must be readily understandable to any fully trained person required to have access to it.

Tracking records must be kept at least 12 months after the substance has been transferred; or three years in the case of use, treatment or disposal of the substance.

Further information

Visit our website at www.ermanz.govt.nz, contact us on 0800 376 234 (HS Compliance Line), or email pesticideinfo@ermanz.govt.nz.

Additional compliance publications including Compliance Guides and Quick Guides are available at www.ermanz.govt.nz/resources/compliance-pubs.asp.

Contact details

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