

WORKSAFE

Mahi Haumaru Aotearoa

Exemption from Provisions of Health and Safety at Work (Hazardous Substances) Regulations 2017

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), I, Tony Hetherington, Head of High Hazards, Energy and Public Safety at WorkSafe New Zealand, exempt PPG Industries New Zealand Limited from compliance with regulations 11.30, 11.34, 11.36 and 11.37 of the Health and Safety Health and Safety at Work (Hazardous Substances) Regulations 2017 (the Regulations) for the production building that is at 5 Monahan Road, Mt Wellington, Auckland ('the site').

I do so having had regard to the considerations of regulation 11.40(2) of the Regulations and being satisfied that the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to the proposed exemption, and that the exemption is not inconsistent with the purpose of the Act.

This exemption is subject to the following conditions—

- (1) PPG Industries New Zealand Limited must limit the quantity of class 3.1 flammable liquids to the quantity specified in Appendix 1; and
- (2) PPG Industries New Zealand Limited must limit the proportion of class 3.1B flammable liquids to no more than 25% of the total inventory in the production building¹; and
- (3) PPG Industries New Zealand Limited must maintain the construction of all walls and parapets to at least their existing fire rating and ensure the walls are vapour tight.
- (4) PPG Industries New Zealand Limited must ensure that if structural work is required on existing walls, the fire resistance rating (FRR) of 240/240/240 minutes must be maintained or achieved; and
- (5) PPG Industries New Zealand Limited must maintain the fire-rated construction of all doors between rooms in the manufacturing plant to a minimum FRR of -/180/60 minutes; and

¹ The production building is defined as the main manufacturing building at 5 Monahan Road, Mt Wellington, Auckland, which was the subject of SEP1422, and contains the main manufacturing equipment at the site.

- (6) PPG Industries New Zealand Limited must ensure all fire doors between rooms in the production building are self-closing in the event of a fire; and
- (7) PPG Industries New Zealand Limited must maintain the certification of the ventilation system with a performance of 10 air changes per hour throughout the fire cells in use, and recertify the ventilation system every 12 months; and
- (8) PPG Industries New Zealand Limited must hold a current Fire Protection Inspection Services (FPIS) certificate at all times for the foam sprinkler system in compliance with New Zealand Standard NZS4541:2020 "Automatic Fire Sprinkler Systems"; and
- (9) PPG Industries New Zealand Limited must have available on site, foam concentrate of a type and volume sufficient to deliver a minimum of 30 minutes of foam coverage in the production building; and
- (10) PPG Industries New Zealand Limited must maintain the electrical bonding and earthing of all process containers, vessels and items of equipment; and
- (11) PPG Industries New Zealand Limited must ensure all bungs in finished goods containers are of a type to enable the container to be classified as relieving containers; and
- (12) PPG Industries New Zealand Limited must maintain smoke detection in each room within the production building; and
- (13) PPG Industries New Zealand Limited must limit the staff present in the production building, the laboratory and operations office to trained operational staff needed for the day to day operation of the production building and laboratory; and
- (14) PPG Industries New Zealand Limited must:
 - (a) ensure that all staff receive training in the emergency response plans for the dealing with a spill in the production building at intervals no more than 12 months
 - (b) keep records of that training and retain them for a period of three years; and
- (15) PPG Industries New Zealand Limited must ensure areas around the production building are free of items that may impede access by Fire and Emergency New Zealand (FENZ) units in an emergency; and
- (16) PPG Industries New Zealand Limited must ensure the area inside the factory and the area around each external doorway for a distance of 3 metres in all directions is free of combustible materials, except for process ingredients; and
- (17) PPG Industries New Zealand Limited must ensure certification of the fire suppression under the canopy between the production building and operations office; and

- (18) PPG Industries New Zealand Limited must ensure containers, including drums and IBC's, are arranged in accordance with Part 16 of NFPA 30 *Flammable and Combustible Liquids Code*; and
- (19) PPG Industries New Zealand Limited must provide a copy of this exemption and SEP1422 to any compliance certifier; and
- (20) A copy of this exemption must be held at the site.

This exemption takes effect on 30 October 2020 and expires on 30 October 2025 unless it is replaced sooner or revoked.

Signed at Wellington this 27th day of October 2020



Tony Hetherington Head of High Hazards, Energy and Public Safety
WorkSafe New Zealand

Appendix 1 - Production Building Quantity Limits

Location	Maximum Container Size (litres)	Maximum Quantity of Class 3.1B and C Flammable Liquids (litres)	Room Type
Filling Room	4,600	10,000	Workroom
Middle factory	5,000	40,000	Workroom
Mill Room	1,300	20,000	Workroom
Bulk tank Room A	15,000	40,000	Workroom
Bulk Tank Room B	6,000	6,000	Workroom
Tinting Department	11,000	35,000	Workroom
Drum Room 1	200	40,000	Store
Drum Room 2	200	40,000	Store
Triangle Room	1,300	40,000	Store
Production Class 3 Depot	50	2,000	Store