

WORKSAFE

Mahi Haumarū 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, Phil Parkes, Chief Executive at WorkSafe New Zealand, exempt Bulk Storage Terminals Limited from compliance with regulation 17.18 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) for the tanks T34, T35, T36, T37, and T38 within the Bulk Flammable Bund at the site at 182 Totara Street, Mt Maunganui ('the site').

I do so 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; and subject to the following conditions—

Bulk Storage Terminals Limited must –

- (1) maintain the capacity of the fire suppression system within the Bulk Flammable Bund to maintain an application rate of 10 litres per minute per metre squared; and
- (2) within 6 months of the date this exemption becomes effective, provide WorkSafe (hsapplications@worksafe.govt.nz) with a report verifying the application rates for their fire suppression systems; and
- (3) notify WorkSafe (hsapplications@worksafe.govt.nz) at least three months prior to any alterations to the tanks locations; and
- (4) maintain the automated wharf line shutdown system; and
- (5) maintain all surveillance and alarms related to the tanks within the Bulk Flammable Bund including:
 - (a) CCTV surveillance with remote viewing accessibility; and
 - (b) offsite notification when the site ESD, HiHi level, gas detection alarms in the bund are activated; and
 - (c) Gas monitoring inside the bund; and

- (6) provide a copy of this exemption and the covering letter from WorkSafe to Bulk Storage Terminals Limited to any compliance certifier engaged to issue a stationary container system compliance certificate; and
- (7) ensure a copy of this exemption and the covering letter from WorkSafe to Bulk Storage Terminals Limited is held at the site.

This exemption takes effect on 8 March 2021 and expires on 8 March 2026 unless it is replaced sooner or revoked.

Signed at Wellington this 3 day of March 2021



Phil Parkes
Chief Executive
WorkSafe New Zealand