

This performance standard is administered by WorkSafe New Zealand. For more information please see:

Website: <http://www.worksafe.govt.nz>

Contact phone: 0800 030 040

Contact address: PO Box 165 Wellington 6140 New Zealand

Health and Safety at Work (Hazardous Substances—Location Compliance Certification for Classes 2 to 6, and 8) Performance Standard 2021

This performance standard is issued under regulation 6.43 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 by WorkSafe New Zealand, after being satisfied that appropriate consultation has been carried out under regulation 6.44 of those Regulations.

Contents

		Page
1	Title	2
2	Commencement	2

Part 1

Preliminary Provisions

3	Purpose	3
4	Scope	3
5	Interpretation	3
6	Meaning of competent person	4
7	Application of performance standard dependent on substances held	4

Part 2

Assessing whether prescribed requirements for location compliance certificate are met

8	Verifying certification requirements are met	5
9	Exception to requirement to take actions specified in schedules	5
10	Use of checklists and computer-based assessments permitted	6
11	Location visits	6
12	Verification of distances	7
13	Verifying certification requirements where hazardous substances held at more than one place	8

Part 3

Certification and record-keeping requirements

Subpart 1—Issuing location compliance certificates

14	Date of issue	8
15	Conditional compliance certificates	8
16	Refusal to issue compliance certificate	9

Subpart 2—Information to be recorded in location compliance certificate

17	Scope of certification	9
18	Other information to be recorded	10
19	Multiple hazardous substance locations may be recorded on location compliance certificate	12
20	Extension of renewal period	12
21	Additional information to be recorded on conditional compliance certificate	12

Subpart 3—Renewing, varying, and changing scope of location compliance certificate

22	Conditional compliance certificates cannot be renewed, reissued, or extended	13
23	Variation of location compliance certificate	13
24	Requests to change scope	13

Subpart 4—Records

25	Record-keeping requirements	13
----	-----------------------------	----

Schedule 1

Process and information requirements applying to certification of hazardous substance locations generally

Schedule 2

Requirements specific to class 2 and 3.1 substances

Schedule 3

Requirements specific to class 3.2 and 4 substances

Schedule 4

Requirements specific to class 5.1.1 and 5.1.2 substances

Schedule 5

Requirements specific to class 5.2 substances

Schedule 6

Requirements specific to class 6.1A, 6.1B, 6.1C, 8.2A, and 8.2B substances

Performance standard

1 Title

This is the Health and Safety at Work (Hazardous Substances—Location Compliance Certification for Classes 2 to 6, and 8) Performance Standard 2021.

2 Commencement

This performance standard comes into force on 1 April 2022.

Part 1 Preliminary Provisions

3 Purpose

The purpose of this performance standard is to set out the information and process requirements with which a compliance certifier must comply when issuing or renewing a location compliance certificate for a hazardous substance location at which a class 2, 3, 4, 5, 6, or 8 substance is present.

4 Scope

For the purposes of regulation 6.43, this performance standard sets out the requirements applying when certifying the matters referred to in the following regulations:

- (a) regulation 10.34, in relation to a compliance certificate for a hazardous substance location at which a class 2.1.1, 2.1.2, or 3.1 substance is present:
- (b) regulation 10.36, in relation to a compliance certificate for a hazardous substance location at which a class 3.2 or 4 substance is present:
- (c) regulation 12.17, in relation to a compliance certificate for a hazardous substance location at which a class 5.1.1 or 5.1.2 substance is present:
- (d) regulation 12.42, in relation to a compliance certificate for a hazardous substance location at which a class 5.2 substance is present:
- (e) regulation 13.38, in relation to a compliance certificate for a hazardous substance location at which a class 6 or 8 substance is present.

5 Interpretation

- (1) In this performance standard, unless the context otherwise requires,—

Act means the Health and Safety at Work Act 2015

competent person has the meaning given in clause 6

FRR means fire-resistance rating

location compliance certificate means a compliance certificate required by the Regulations for a hazardous substance location

prescribed requirement means a requirement prescribed by the Regulations or a safe work instrument

register of compliance certificates means the register of compliance certificates referred to in regulation 6.26(1) of the Regulations

Regulations means the Health and Safety at Work (Hazardous Substances) Regulations 2017

- (2) A term or expression that is defined in the Act or the Regulations or a safe work instrument and that is used, but not defined, in this performance standard has the same meaning as in the Act or the Regulations or the safe work instrument.

6 Meaning of competent person

In this performance standard, unless the context otherwise requires, **competent person** means a person—

- (a) employed or engaged by a compliance certifier to inquire into, inspect, assess, or examine matters relevant to determining whether the prescribed requirements for issuing a compliance certificate for a hazardous substance location have been met; and
- (b) who is either—
 - (i) a person who, under the supervision of the compliance certifier, has visited at least one hazardous substance location at which—
 - (A) similar types and quantities of hazardous substances were present; and
 - (B) work of a similar nature involving hazardous substances was carried out; or
 - (ii) another compliance certifier; and
- (c) whose name has been notified to WorkSafe in accordance with clause 18(1)(a) of the Health and Safety at Work (Hazardous Substances—Information and Process Requirements for Compliance Certifiers) Performance Standard 2019; and
- (d) who the compliance certifier is satisfied—
 - (i) meets the requirements in clause 18(1)(b) of the Health and Safety at Work (Hazardous Substances—Information and Process Requirements for Compliance Certifiers) Performance Standard 2019; and
 - (ii) in particular, is competent to—
 - (A) collect all information relevant to assessing whether the prescribed requirements for the location compliance certificate have been met; and
 - (B) assess whether the prescribed requirements for the location compliance certificate have been met.

7 Application of performance standard dependent on substances held

For the avoidance of doubt, if some but not all of the hazardous substances specified in this performance standard are present at a hazardous substance location, the Schedules apply only to the extent they are relevant.

Example

A hazardous substance location does not hold any class 5 hazardous substances. Schedules 4 and 5 do not apply.

Part 2

Assessing whether prescribed requirements for location compliance certificate are met

8 Verifying certification requirements are met

- (1) Before issuing a location compliance certificate, a compliance certifier must, in accordance with this performance standard, verify that the prescribed requirements for the location compliance certificate have been met in respect of each matter requiring certification, regardless of whether a location compliance certificate has been issued previously for the hazardous substance location.
- (2) For the purpose of subclause (1), a compliance certifier must ensure they—
 - (a) confirm the quantities of hazardous substances present at the hazardous substance location; and
 - (b) obtain all other information that is necessary to verify whether the prescribed requirements have been met, including by taking measurements and making calculations; and
 - (c) carry out the necessary inquiries, inspections, assessments, and examinations; and
 - (d) take the relevant actions specified in:
 - (i) Schedule 1, in relation to the criteria applying to the certification of hazardous substance locations generally;
 - (ii) Schedule 2, in relation to the criteria applying to the certification of hazardous substance locations where class 2 or 3.1 substances are present;
 - (iii) Schedule 3, in relation to the criteria applying to the certification of hazardous substance locations where class 3.2 or 4 substances are present;
 - (iv) Schedule 4, in relation to the criteria applying to the certification of hazardous substance locations where class 5.1.1 or 5.1.2 substances are present;
 - (v) Schedule 5, in relation to the criteria applying to the certification of hazardous substance locations where class 5.2 substances are present;
 - (vi) Schedule 6, in relation to the criteria applying to the certification of hazardous substance locations where class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substances are present.

9 Exception to requirement to take actions specified in schedules

A compliance certifier may verify that a prescribed requirement for a location compliance certificate has been met by taking an action other than an action specified in the applicable schedule, if the compliance certifier—

- (a) is satisfied the other action—
 - (i) is appropriate having regard to the specific circumstances or conditions at the hazardous substance location; and

- (ii) will achieve a standard of verification at least equivalent to that which would have been achieved by taking the action specified in the schedule; and
- (b) makes a record in accordance with clause 25(1)(b) and (2).

10 Use of checklists and computer-based assessments permitted

- (1) A compliance certifier may use checklists and computer-based assessments when verifying whether a prescribed requirement for a location compliance certificate has been met.
- (2) If a compliance certifier uses a checklist or computer-based assessment, the compliance certifier—
 - (a) must ensure the checklist or computer-based assessment addresses each action and record specified in the applicable schedule; and
 - (b) may enter a record required by the schedule directly into the checklist or computer-based assessment or keep the record in a separate document.

11 Location visits

- (1) For the purposes of clause 8, a compliance certifier must—
 - (a) visit the hazardous substance location personally; or
 - (b) in the case of a compliance certifier who is not an individual, ensure the hazardous substance location is visited personally by a person identified on the compliance certifier's authorisation as permitted to perform the functions of a compliance certifier in relation to the hazardous substance location; or
 - (c) obtain a report prepared by a competent person who—
 - (i) has visited the hazardous substance location personally; and
 - (ii) in the course of that visit carried out the inquiries, inspections, assessments, and examinations necessary to enable the compliance certifier to verify compliance with the prescribed requirements for a location compliance certificate in accordance with clause 8.
- (2) A compliance certifier may only rely on a report obtained from a competent person under subclause (1)(c) if—
 - (a) the competent person is another compliance certifier who is authorised to issue a compliance certificate for a hazardous substance location at which similar types and quantities of hazardous substances are present; or
 - (b) the competent person has been a competent person for 12 months or more and the hazardous substances present at the hazardous substance location do not exceed the following threshold quantities:
 - (i) for a class 2.1.1 substance contained in one or more cylinders, 1000 kg;
 - (ii) for a class 3.1 substance contained in one or more packages, 2000 L;
 - (iii) for a class 3.1 substance stored in bulk at a vehicle refuelling facility, 80 000 L;

- (iv) for a class 5.1.1, 5.1.2, or 5.2 substance contained in one or more cylinders, 1000 kg;
- (v) for a class 6 substance contained in one or more packages, 2000 kg or 2000L;
- (vi) for a class 8 substance contained in one or more packages, 2000 kg or 2000L; or
- (c) in any other case—
 - (i) a location compliance certificate has previously been issued for the hazardous substance location; and
 - (ii) the hazardous substance location is to hold hazardous substances in quantities and with hazard classifications that were authorised by the previous location compliance certificate; and
 - (iii) the location of the workplace and the position of the hazardous substance location within it have not changed since the previous issue of the location compliance certificate.
- (3) A compliance certifier who obtains a report under subclause (1)(c) must ensure that—
 - (a) the person who prepared it—
 - (i) is not and has not been responsible for, and has no financial interest in, the design, planning or construction of anything related to the hazardous substance location; and
 - (ii) has not conducted or been involved in the conduct of any business in relation to the workplace in which the hazardous substance location is located, other than for the purposes of assisting the compliance certifier; and
 - (b) the report contains sufficient information for the compliance certifier to assess whether the prescribed requirements for a location compliance certificate have been met; and
 - (c) the compliance certifier—
 - (i) verifies whether the prescribed requirements for a location compliance certificate have been met; and
 - (ii) complies with clause 21 of the Health and Safety at Work (Hazardous Substances—Information and Process Requirements for Compliance Certifiers) Performance Standard 2019.

12 Verification of distances

- (1) If the Regulations prescribe a distance that must be met before a location compliance certificate may be issued, a compliance certifier must verify the distance by—
 - (a) referring to an accurate scale drawing or a plan of the hazardous substance location; or
 - (b) measuring the distance; or
 - (c) if it is not reasonably practicable to measure the distance and there is no accurate scale drawing or plan available, estimating the distance on site.

- (2) If a flammable hazardous substance is contained in a package, cylinder, or a tank wagon, the package, cylinder, or tank wagon must be treated as if it is full of that substance for the purpose of calculating a separation distance unless the package, cylinder, or tank wagon—
- (a) is gas free; or
 - (b) is subject to an approved compliance plan or exemption which enables the separation distance to be calculated on a different basis.

13 Verifying certification requirements where hazardous substances held at more than one place

- (1) This clause applies if hazardous substances are held at more than one place within a workplace.
- (2) When assessing whether the prescribed requirements for a location compliance certificate are met at a workplace to which this clause applies, the compliance certifier must—
- (a) take into account the proximity of the hazardous substances held in each place to the hazardous substances held in the other place or places; and
 - (b) treat the places as a single hazardous substance location, if—
 - (i) the hazardous substances in one place are likely to have an adverse effect on the hazardous substances in the other place or places (for example, an adverse effect caused by an incident involving the hazardous substances or that is due to their incompatibility); and
 - (ii) the cumulative total quantity of hazardous substances at the places meets the threshold quantity for a hazardous substance location.

Example

Two LPG installations that each contain two 45 kg cylinders of LPG should be treated as a single hazardous substance location if, due to their proximity, they are likely to adversely affect each other.

Part 3
Certification and record-keeping requirements

Subpart 1—Issuing location compliance certificates

14 Date of issue

A location compliance certificate for a hazardous substance location must be issued on the date the compliance certifier is satisfied that the relevant prescribed requirements have been met, or as soon as reasonably practicable after that date.

15 Conditional compliance certificates

- (1) This clause applies in relation to the discretion of a compliance certifier to issue a conditional compliance certificate for a hazardous substance location under regulation 6.24 of the Regulations for a minor failure to meet a relevant prescribed requirement.

- (2) If a compliance certifier has identified in relation to a hazardous substance location four or more minor failures to meet the relevant prescribed requirements, the compliance certifier must consider refusing to issue a conditional compliance certificate.
- (3) If the failure to meet a relevant prescribed requirement will take more than three months to rectify, the compliance certifier—
 - (a) must not issue a conditional compliance certificate; and
 - (b) notify WorkSafe in accordance with regulation 6.23(2)(c) of the Regulations.
- (4) For the purposes of regulation 6.24(2)(b) of the Regulations, if the failure to meet a relevant prescribed requirement can be rectified by a date that is earlier than three months after the date of the issue of the conditional compliance certificate, the compliance certifier must consider electing the earlier date as the date by which the requirement must be met.
- (5) If on or before the date by which a relevant prescribed requirement must be met (the **specified date**) the PCBU with management or control of the hazardous substance location informs the compliance certifier that the requirement has been met, the compliance certifier must verify whether the requirement has been met.
- (6) If the compliance certifier is satisfied that the relevant prescribed requirement has been met, the compliance certifier must notify WorkSafe not later than 15 working days after the specified date.
- (7) For the purposes of subclause (6), the compliance certifier may notify WorkSafe by recording in the register of compliance certificates the date on which the relevant requirement was met to the satisfaction of the compliance certifier.

16 Refusal to issue compliance certificate

- (1) This clause applies in relation to the obligation of a compliance certifier to refuse to issue a compliance certificate under regulation 6.23(2) of the Regulations.
- (2) The certifier must—
 - (a) record details of the failure to meet the relevant prescribed requirement, including the regulation or safe work instrument that imposes the requirement; and
 - (b) ensure that WorkSafe and the applicant are notified in accordance with the process required by clause 11 of the Health and Safety at Work (Hazardous Substances—Information and Process Requirements for Compliance Certifiers) Performance Standard 2019.

Subpart 2—Information to be recorded in location compliance certificate

17 Scope of certification

- (1) A compliance certifier must ensure that a location compliance certificate specifies the scope of the certificate in accordance with subclauses (2) to (6).
- (2) Subject to subclause (3), a compliance certifier must record in a location compliance certificate the name (where relevant) and classification or classifications of each hazardous substance or combination of hazardous substances present at the hazardous substance location.

Example**Hazardous substance classes**

Classes 3.1A, 3.1B, 3.1C

Example**Hazardous substance name and class**

Ethanol 3.1B

- (3) A compliance certifier must record only those hazardous substances or combination of hazardous substances that exceed the threshold quantity (as modified by the quantity-ratio sum) or trigger the requirement for a location compliance certificate.
-

Example

If a class 3 substance and LPG are present at the workplace but only the class 3 substance exceeds the threshold quantity, LPG must not be included in the location compliance certificate

A location compliance certificate is not required for a workplace at which diesel fuel (class 3.1D) is present. Consequently, diesel fuel is not to be included in the location compliance certificate.

- (4) A compliance certifier must record in a location compliance certificate the maximum quantity or volume of each hazardous substance or combination of hazardous substances authorised to be present at the hazardous substance location.
-

Example

Hazardous substance	Maximum quantity
----------------------------	-------------------------

Ethanol	1000L
---------	-------

Hazardous substance	Maximum quantity
----------------------------	-------------------------

Class 3.1A	300L
------------	------

- (5) For the purposes of subclause (4), a compliance certifier must:
- (a) in the case of a hazardous substance location that holds a flammable hazardous substance in a package or cylinder, treat the package or cylinder as if it was full of the substance unless the package or cylinder is gas free;
 - (b) in the case of a hazardous substance location that holds a hazardous substance in a stationary tank, specify the water capacity of the stationary tank determined for the purpose of calculating separation distances.
- (6) In this clause, **water capacity**—
- (a) includes the ullage space of the stationary tank; or
 - (b) in the case of a stationary tank fitted with an overflow outlet, the capacity measured at the invert level of the overflow outlet.

18 Other information to be recorded

A compliance certifier must ensure that the following information is recorded in a location compliance certificate:

- (a) that the certificate has been issued in accordance with—
 - (i) regulation 6.23 or 6.24; and

- (ii) the regulation specified in clause 4 that applies to the hazardous substance location (for example, if all hazardous substances present at the hazardous substance location are class 3.1 substances, it must be clear from the compliance certificate that the applicable regulation is regulation 10.34):
- (b) that the prescribed requirements for a location compliance certificate have been met:

Example

Location compliance certificate

Issued in accordance with regulations 6.23 and 10.34 of the Health and Safety at Work (Hazardous Substances) Regulations 2017.

This certificate certifies that the requirements prescribed in regulation 10.34 for a location compliance certificate have been met.

Example

Conditional compliance certificate

Issued in accordance with regulations 6.24 and 10.34 of the Health and Safety at Work (Hazardous Substances) Regulations 2017.

This certificate certifies that the requirements prescribed in regulation 10.34 for a location compliance certificate have been met, with the exception of the requirements set out below which must be met by the date specified.

- (c) the unique register number or a compliance certificate number (or both), in accordance with clause 8(1)(c) of the Health and Safety at Work (Hazardous Substances—Information and Process Requirements for Compliance Certifiers) Performance Standard 2019:

Example (new certificate)

000498-LCC4987

Example (renewed certificate)

000498-LCC4987A

- (d) the street address of the workplace at which the hazardous substance location is located, including—
 - (i) the street number, street name, suburb, postcode, and town or city; or
 - (ii) if not all of that information is available, other information capable of identifying the street address of the workplace:
- (e) the position within the workplace where the hazardous substance location is located:
- (f) the following details of the PCBU with management or control of the workplace at which the hazardous substance location is located:
 - (i) full legal name:
 - (ii) trading name:
 - (iii) New Zealand Business Number (if any):

- (iv) company number (if any):
- (v) contact details:
- (vi) postal address:
- (g) the date of issue:
- (h) the date the compliance certificate comes into force:
- (i) the date of expiry:
- (j) the full name and authorisation number of the compliance certifier, as specified in the certifier's document of authorisation issued by WorkSafe:
- (k) the handwritten signature or electronic signature of the compliance certifier.

19 Multiple hazardous substance locations may be recorded on location compliance certificate

If a compliance certifier wishes to issue a single location compliance certificate for more than one hazardous substance location at a workplace, the compliance certifier must ensure that—

- (a) only those hazardous substance locations for which the location compliance certificate is being issued are recorded on the certificate; and
- (b) the details of each hazardous substance location are separately recorded on the location compliance certificate.

20 Extension of renewal period

(1) If WorkSafe advises a compliance certifier that it has extended the renewal period of a location compliance certificate under regulation 8.2 of the Regulations, the compliance certifier may—

- (a) record on the location compliance certificate that WorkSafe has specified a new expiry date for the certificate; and
- (b) update the register of compliance certificates to reflect the new expiry date for the location compliance certificate.

(2) If the location compliance certificate expires and a new location compliance certificate for the hazardous substance location is sought, the compliance certifier—

- (a) must issue the new location compliance certificate with an expiry date determined in accordance with regulation 8.1(1), 8.1(2), or 13.38(2), as applicable; and
- (b) may not record a different expiry date, unless the PCBU with management or control of the hazardous substance location has obtained from WorkSafe an extension to the renewal period for that new location compliance certificate.

21 Additional information to be recorded on conditional compliance certificate

A compliance certifier must ensure that a conditional compliance certificate—

- (a) states that a relevant requirement has not been met; and
- (b) specifies the regulation that imposes the relevant requirement; and

- (c) for each failure to meet a relevant requirement, describes the nature of the failure and the action that needs to be taken to address the failure; and
- (d) specifies the date by which the relevant requirement must be met.

Subpart 3—Renewing, varying, and changing scope of location compliance certificate

22 Conditional compliance certificates cannot be renewed, reissued, or extended

A compliance certifier must not renew, reissue, or extend a conditional compliance certificate.

23 Variation of location compliance certificate

A compliance certifier must not vary a location compliance certificate that has been issued, other than to correct a minor error.

24 Requests to change scope

- (1) A compliance certifier who receives a requested change of scope—
 - (a) is not permitted by the Regulations to vary the existing location compliance certificate to incorporate the requested change; but
 - (b) may, if the compliance certifier is satisfied that the relevant prescribed requirements have been met, either—
 - (i) issue a location compliance certificate that applies only in respect of the requested change of scope; or
 - (ii) renew the location compliance certificate in accordance with regulation 8.1 of the Regulations and incorporate the requested change of scope.
- (2) For the purposes of this clause, a **requested change of scope** includes a request from a PCBU with management or control of a hazardous substance location for one or more of the following changes to be made to an existing location compliance certificate:
 - (a) the addition of a hazardous substance:
 - (b) a greater quantity of an existing hazardous substance:
 - (c) a repositioned hazardous substance location.

Subpart 4—Records

25 Record-keeping requirements

- (1) A compliance certifier must—
 - (a) subject to subclause (2), comply with the record-keeping requirements specified in Schedules 1 to 6, as applicable; and
 - (b) if applicable, keep a record of the reasons the compliance certifier is satisfied the criteria in clause 9 have been met; and

- (c) if the certifier is satisfied that a hazardous substance location meets all the requirements in the Regulations that are relevant to the location, keep a record of the date on which the certifier reached that conclusion.
- (2) A compliance certifier who verifies the compliance of a hazardous substance location in accordance with clause 9 may make a record other than a record specified in the applicable schedule if the compliance certifier is satisfied the other record is—
 - (a) appropriate having regard to the action taken to verify compliance; and
 - (b) of a standard at least equivalent to the record specified in the schedule.
- (3) A compliance certifier who employs or engages a competent person must keep a record of that person's training and competence in accordance with the Health and Safety at Work (Hazardous Substances—Information and Process Requirements for Compliance Certifiers) Performance Standard 2019.
- (4) If a compliance certifier has verified that a neighbour has agreed to the extension of a separation distance in accordance with regulation 9 of the Regulations, the compliance certifier must record that the agreement is in place and its details.
- (5) In the case of a conditional compliance certificate, a compliance certifier must record—
 - (a) the reason for the failure of the hazardous substance location to meet the relevant requirement; and
 - (b) the conditional compliance certificate's expiry date; and
 - (c) any evidence to confirm that the relevant requirement has been met; and
 - (d) if the compliance certifier is satisfied the relevant requirement has been met, the date on which the certifier was satisfied.
- (6) If, in accordance with clause 20, a compliance certifier records on a location compliance certificate that WorkSafe has specified a new expiry date for the certificate, the compliance certifier must ensure they keep a record and obtain a copy of—
 - (a) that certificate; and
 - (b) the document issued by WorkSafe extending the renewal period for the certificate under regulation 8.2 of the Regulations.

Schedule 1

Process and information requirements applying to certification of hazardous substance locations generally

1 Determine which regulations apply

- (1) This clause applies when a compliance certifier is determining which regulations are relevant for the purpose of certifying a hazardous substance location at a workplace.
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 1.1; and
 - (b) make and retain the records specified in column 4 of table 1.1.

Table 1.1

Item	Regulation	Action	Records
1	10.34 10.36 12.17 12.42 13.38	Verify that the hazardous substances are present at the site— (a) in quantities exceeding the threshold quantities specified in the Regulations for the hazardous substances; and (b) for periods of time that trigger the relevant requirement to establish a hazardous substance location under the Regulations	A record of— (a) the maximum quantities of the hazardous substances, identified by subclass; and (b) the thresholds that are exceeded
2	All	Ascertain— (a) whether the PCBU has been granted any exemption or approval that is relevant to the hazardous substance location; and (b) the extent of the exemption or approval including any conditions; and (c) whether any provisions of Schedule 1 (Transitional, Savings, and related provisions) of the Regulations apply	A copy of the exemption or approval A note recording the provisions of Schedule 1 of the Regulations that apply (if any)

2 Notification requirements

- (1) This clause applies when a compliance certifier is determining whether—
 - (a) in relation to a hazardous substance location where a class 2, 3, or 4 substance is present, the requirements of regulation 10.26(2) have been met for the purposes of—
 - (i) regulation 10.34(1)(a), for a class 2 or 3.1 substance; and
 - (ii) regulation 10.36(1)(a), for a class 3.2 or 4 substance; and
 - (b) in relation to a hazardous substance location where a class 5.1.1 or 5.1.2 substance is present, the requirements of regulation 12.8(4) have been met for the purposes of regulation 12.18(a); and

- (c) in relation to a hazardous substance location where a class 5.2 substance is present, the requirements of regulation 12.34(4) have been met for the purposes of regulation 12.43(a); and
 - (d) in relation to a hazardous substance location where a class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substance is present, the requirements of regulation 13.34(4) have been met for the purposes of regulation 13.39(a).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 1.2; and
 - (b) make and retain the records specified in column 4 of table 1.2.

Table 1.2

Item	Regulation	Action	Records
1	10.26(2) 12.8(4) 12.34(4) 13.34(4)	Verify— (a) either— (i) the notification that has been made; or (ii) the most recent location compliance certificate; and (b) the details of the notification or the most recent location compliance certificate including: (i) the name of the company and the PCBU; and (ii) the street address of the workplace; and (c) either— (i) that the maximum quantity and classification of hazardous substances held are consistent with the notification or most recent location compliance certificate; or (ii) if the quantity of hazardous substances held exceeds the quantity notified or set out in the location compliance certificate, that a new notification has been made	A record of— (a) either— (i) the notification; or (ii) the location compliance certificate; or (iii) a unique reference to identify the notification or certificate; and (b) the quantities notified for each relevant class of substance; and (c) the quantities present

3 Information, instruction, and training

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 4.5 have been met at a hazardous substance location for the purposes of—
- (a) regulation 10.34(1)(c), in relation to a hazardous substance location where a class 2 or 3.1 substance is present; and
 - (b) regulation 10.36(1)(b), in relation to a hazardous substance location where a class 3.2 or 4 substance is present; and
 - (c) regulation 12.18(c), in relation to a hazardous substance location where a class 5.1.1 or 5.1.2 substance is present; and

- (d) regulation 12.43(c), in relation to a hazardous substance location where a class 5.2 substance is present; and
 - (e) regulation 13.39(c), in relation to a hazardous substance location where a class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substance is present.
- (2) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 1.3 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 1.3 that correspond to the provision specified in column 2 of that table.

Table 1.3

Item	Regulation	Action	Records
1	4.5	Verify that there is a process for each worker to receive relevant information and training	A record of the process
2	4.5(2)	Verify that the requirement to provide information to workers is met	A record of the location and availability of the information, including safety data sheets. An overview of the information provided
3	4.5(5)	Verify that there is a record of the training and instruction referred to in regulation 4.5(3) for each worker and that this record is available for inspection	A sample record of the worker's instruction and training or a reference to the worker's instruction and training
4	4.5(6)	Verify that where information, instruction, and training were not required for a worker, the PCBU can demonstrate that the worker's previous experience is equivalent	A record of the process the PCBU followed, a sample of one of the records obtained from the PCBU, or a reference to the process or record

4 Signage

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 2.5 and 2.6 have been met at a hazardous substance location for the purposes of—
- (a) regulation 10.34(1)(f), in relation to a hazardous substance location where a class 2 or 3.1 substance is present; and
 - (b) regulation 10.36(1)(h), in relation to a hazardous substance location where a class 3.2 or 4 substance is present; and
 - (c) regulation 12.18(j), in relation to a hazardous substance location where a class 5.1.1 or 5.1.2 substance is present; and
 - (d) regulation 12.43(j), in relation to a hazardous substance location where a class 5.2 substance is present; and
 - (e) regulation 13.39(i), in relation to a hazardous substance location where a class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substance is present.

- (2) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 1.4 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 1.4 that correspond to the provision specified in column 2 of that table.

Table 1.4

Item	Regulation	Action	Records
1	2.5(1)	Determine whether signs are required	A record of the quantities present, as compared to the threshold quantities
2	2.5(2)	Verify that the signs are compliant	Photographs of the signs
3	2.6(1)	Verify that compliant signage is positioned at all required entrances to the building and land	A record of required entrances to the building and land or marked up plan Photographs of the signs if practical. The photographs must include sufficient landscape details to confirm the location. If photographs are not practical, a note confirming compliance
4	2.6(3)	Verify that compliant signage is displayed at each required room or compartment entrance	A list of all rooms or a marked-up plan Photographs of the signs if practical If photographs are not practical, a note confirming compliance
5	2.6(4)	Verify that compliant signage is displayed immediately next to each outdoor area	A list of all outdoor areas or a marked-up plan Photographs of the signs if practical If photographs are not practical, a note confirming compliance

5 Fire extinguishers

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 5.3, 5.4, and 5.5 have been met at a hazardous substance location for the purposes of—
- (a) regulation 10.34(1)(g), in relation to a hazardous substance location where a class 2 or 3.1 substance is present; and
 - (b) regulation 10.36(1)(i), in relation to a hazardous substance location where a class 3.2 or 4 substance is present; and
 - (c) regulation 12.18(l), in relation to a hazardous substance location where a class 5.1.1 or 5.1.2 substance is present; and
 - (d) regulation 12.43(l), in relation to a hazardous substance location where a class 5.2 substance is present; and

- (e) regulation 13.39(j), in relation to a hazardous substance location where a class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substance is present.
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 1.5 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 1.5 that correspond to the provision specified in column 2 of that table.

Table 1.5

Item	Regulation	Action	Records
1	5.3(1)	Determine whether fire extinguishers are required	A record of the quantities present, as compared to the threshold quantities
2	5.3(1)	Verify that the correct numbers of fire extinguishers are present	A record of the following: <ul style="list-style-type: none"> (a) the required extinguishers; (b) confirmation that the extinguishers are in place by marking up the plan, making a note, or similar; (c) the test dates of all required extinguishers
3	5.4(1)	Verify that the fire extinguishers are clearly visible and readily accessible in an emergency	A record of proximity, visibility, and accessibility of fire extinguishers to the hazardous substance location
4	5.5	Verify the capability of the fire extinguishers	A record of the ratings of sample extinguishers or hose diameter of a hydrant system

6 Emergency response plans (ERP)

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 5.6 to 5.13 have been met at a hazardous substance location for the purposes of—
 - (a) regulation 10.34(1)(g), in relation to a hazardous substance location where a class 2 or 3.1 substance is present; and
 - (b) regulation 10.36(1)(i), in relation to a hazardous substance location where a class 3.2 or 4 substance is present; and
 - (c) regulation 12.18(l), in relation to a hazardous substance location where a class 5.1.1 or 5.1.2 substance is present; and
 - (d) regulation 12.43(l), in relation to a hazardous substance location where a class 5.2 substance is present; and

- (e) regulation 13.39(j), in relation to a hazardous substance location where a class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substance is present.
- (2) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 1.6 that corresponds to the provision specified in column 2 of that table; and
- (b) make and retain the records specified in column 4 of table 1.6 that correspond to the provision specified in column 2 of that table.

Table 1.6

Item	Regulation	Action	Records
1	5.6(1)	Determine whether an ERP is required	A record of the quantities present, as compared to the threshold quantities
2	5.7(2)	Verify that the ERP describes all emergencies that are reasonably foreseeable	A copy of the ERP or sections of it
3	5.7(3)(a)	Verify that the ERP describes the actions to be taken	A copy of the ERP, sections of it, or a reference to it
4	5.7(3)(b)	Verify that the ERP identifies each person with responsibility and gives the required information	A copy of the ERP, sections of it, or a reference to it
5	5.7(3)(c)	Verify that the ERP specifies the prescribed actions	A copy of the ERP, sections of it, or a reference to it
6	5.7(3)(d)	Verify that the ERP provides an inventory and compliant site plan	A copy of the ERP, sections of it, or a reference to it
7	5.7(4)	Verify that the ERP— (a) specifies the required extra information for emergencies involving a fire; and (b) provides for retention of liquid or liquid oxidising substance or organic peroxide present	A copy of the ERP, sections of it, or a reference to it
8	5.8	The ERP is implemented in the event of an emergency	A record of the implementation of it for events during the previous 12 months (if applicable)
9	5.9	Verify that all equipment, materials, and responsible people are available within the times specified in the ERP	A note of the sampling or a record of the tests carried out
10	5.10	Verify that the PCBU is able to confirm the plan is available to every person responsible for executing any part of the plan and emergency service providers identified in the plan	A note recording how the plan has been made available A reference to its location
11	5.11	Verify that if Fire and Emergency New Zealand (FENZ) has been given the opportunity to review the ERP, any recommendations have been given consideration by the PCBU	A record of advice to FENZ and a note of any recommendations from FENZ

12	5.12	Verify the ERP has been tested, that new persons are competent, that new procedures are workable, and that records of the tests are held	A reference to the tests and actions taken A record of the PCBU records
----	------	--	--

7 Secondary containment

- (1) This clause applies for the purposes of—
- (a) regulation 10.34(1)(h), in relation to a hazardous substance location where a class 2 or 3.1 substance is present; and
 - (b) regulation 10.36(1)(j), in relation to a hazardous substance location where a class 3.2 or 4 substance is present; and
 - (c) regulation 12.18(k), in relation to a hazardous substance location where a class 5.1.1 or 5.1.2 substance is present; and
 - (d) regulation 12.43(k), in relation to a hazardous substance location where a class 5.2 substance is present; and
 - (e) regulation 13.39(l), in relation to a hazardous substance location where a class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substance is present.
- (2) In subclause (3), **relevant provision** means a provision that applies to the hazardous substance location under the Regulations because of the class of substance present at the location and the type of container in which it is held, as follows:

		Surface containers	Above ground tank	Below ground tank	Class 3.1 Above ground tank
(a)	for a location at which a class 3 or 4 substance is present	10.30 10.31 10.32 10.33	10.30 17.100	10.30 17.101	10.30 17.100 17.102
(b)	for a location at which a class 5.1.1 or 5.1.2 substance is present	12.13 12.14 12.15 12.16	12.13 17.100	12.13 17.101	
(c)	for a location at which a class 5.2 substance is present	12.38 12.39 12.40 12.41	12.38 17.100	12.38 17.101	
(d)	for a location at which a class 6 or 8 substance is present	13.30 13.31 13.32 12.33	13.30 17.100	13.30 17.101	

- (3) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 1.7 that corresponds to the relevant provision specified in column 2 of that table; and

(b) make and retain the records specified in column 4 of table 1.7 that correspond to the relevant provision specified in column 2 of that table.

Table 1.7

Item	Regulation	Action	Records
1	10.30 12.13 13.30 17.99	Determine whether secondary containment is required	A record of— (a) the quantities present as compared to the threshold quantities; and (b) the minimum time periods the substances are present
2	10.31 10.32 10.33 12.14 12.15 12.16 12.39 12.40 12.41 13.31 13.32 13.33 17.100 17.101	Verify that— (a) the capacity of the secondary containment system is at least as great as the prescribed minimum; and (b) the capacity of the secondary containment system for stationary tanks and process containers is based on the water capacity of the tank or process container; and (c) the secondary containment will contain the substance without leakage and will enable recovery of the substance; and (d) there are controls to prevent contamination by incompatible substances or material For class 3, 4, and 5 substances, verify that there are controls which exclude any ignition source capable of igniting the substance or decomposing the substance thermally For class 6 and 8 substances, verify that there are controls to prevent people from being directly exposed to any toxic or biological corrosive substances contained in the secondary containment system	A record of— (a) the maximum pooling capacity; and (b) the prescribed capacity of the secondary containment; and (c) the actual capacity of the secondary containment; and (d) the nature of the construction; and (e) the impervious nature of the secondary containment system, including tests and inspections undertaken on it; and (f) the process to recover the substances; and (g) for class 3, 4, or 5 substances, controls that prevent ignition; and (h) for toxic or biological corrosive substances, controls that prevent people from being directly exposed e.g. signage, site induction instructions; and (i) controls that prevent the substance from being contaminated with incompatible substances
3	10.30 12.13 12.38 13.30	If containers of different capacities are held at the place, verify that the secondary containment system has a capacity of at least the sum of each individual container category	A record to confirm that either— (a) containers of different sizes are not held at one place; or (b) if they are held, the secondary containment capacity is at least the sum of each individual container capacity

4	10.30 12.13 12.38 13.30	Verify that the secondary containment is able to contain the leaked hazardous substance	<p>A record of one of the results of the verification. This can include:</p> <ul style="list-style-type: none"> (a) for an above ground tank with integral secondary containment, no evidence of leakage into or from the interstitial space: (b) for a below ground tank with secondary containment, no evidence of leakage into or from the interstitial space: (c) for a below ground tank, no evidence of losses from the stock reconciliation records: (d) for a single skin above ground tank with a capacity of 250,000 L or greater, evidence of a flood test: (e) for a single skin above ground tank with a capacity of up to 250,000 L, either the results of a technical inspection or a flood test: (f) the distance between the tank and the inside of the bund wall, including whether the distance is sufficient to enable leaks to fall inside the bund
5	17.102(3)	Verify that the total quantity of class 3.1 substances in the stationary tank(s) in the secondary containment system does not exceed 75,000,000 L, unless a greater amount is approved by WorkSafe	A record of the quantity within the secondary containment system and a reference to any approval
6	17.102(4) 17.102(5)	Verify that the aggregate capacity of any group of stationary tanks does not exceed 25,000,000 L unless a greater amount is approved by WorkSafe	A record of the quantity in each group of tanks and a reference to any approval by WorkSafe
7	17.102(6)) 17.102(7)	Verify that any intermediate secondary containment system is compliant	A record of the details of the secondary containment system

8 Site Plan

- (1) This clause applies for the purposes of—
- (a) regulation 10.34(1)(i), in relation to a hazardous substance location where a class 2 or 3.1 substance is present; and
 - (b) regulation 10.36(1)(f), in relation to a hazardous substance location where a class 3.2 or 4 substance is present; and

- (c) regulation 12.18(d), in relation to a hazardous substance location where a class 5.1.1 or 5.1.2 substance is present; and
 - (d) regulation 12.43(d), in relation to a hazardous substance location where a class 5.2 substance in a closed container is present; and
 - (e) regulation 13.39(fa), in relation to a hazardous substance location where a class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substance is present.
- (2) In subclause (3), **relevant provision** means:
- (a) regulation 10.26(4)(b), for a location at which a class 2, 3, or 4 substance is present;
 - (b) regulation 12.8(5)(b), for a location at which a class 5.1.1 or 5.1.2 substance is present;
 - (c) regulation 12.34(5)(b), for a location at which a class 5.2 substance is present;
 - (d) regulation 13.34(5)(b), for a location at which a class 6.1A, 6.1B, 6.1C, 8.2A, or 8.2B substance is present.
- (3) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 1.8 that corresponds to the relevant provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 1.8 that correspond to the relevant provision specified in column 2 of that table.

Table 1.8

Item	Regulation	Action	Records
1	10.26(4)(b) 12.8(5)(b) 12.34(5)(b) 13.34(5)(b)	Verify that the site plan— (a) is of the relevant place and is specific to that place; and (b) is accurate and includes all prescribed information	A copy of the site plan, including: (a) the dimensions in relation to the site boundary; (b) a north point accurately orientated; (c) hazardous substance locations; (d) hazardous areas; (e) separation distances from protected places and public places, if prescribed; (f) relevant controlled zone distances
2	10.26(4)(b) 12.8(5)(b) 12.34(5)(b) 13.34(5)(b)	Verify that the site plan has sufficient detail to determine its purpose	A copy of the site plan, including: (a) the scale that enables the plan to meet its purpose; (b) where relevant, elevation drawings; (c) where relevant, a legend or key that defines colours, shaded areas, symbols, abbreviations, etc.; (d) if relevant, and the scale and complexity of the

Health and Safety at Work (Hazardous Substances—Location Compliance
Certification for Classes 2 to 6, and 8) Performance Standard 2021

workplace so demand,
separate drawings
provided to meet the
purpose

Schedule 2

Requirements specific to class 2 and 3.1 substances

1 Class 2 and 3.1 substances to be secured

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 10.4 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(b).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.1 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.1 that correspond to the provision specified in column 2 of that table.

Table 2.1

Item	Regulation	Action	Records
1	10.4(1)	Determine whether the substances must be secured	A record of the quantities present, as compared to the threshold quantities
2	10.4(1)	Verify that the requirements relating to security are met	A record of the means by which the substances are secured

2 Class 2 and 3.1 substances to be segregated from incompatible substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 10.5 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(e).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.2 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.2 that correspond to the provision specified in column 2 of that table.

Table 2.2

Item	Regulation	Action	Records
1	10.5	Verify that incompatible substances are segregated	A record identifying the incompatible substances and the means of segregation

3 Hazardous areas for class 2.1.1, 2.1.2, 3.1A, 3.1B, or 3.1.C substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 10.26(4)(b)(ii) and 10.26(4)(c) have been met at a hazardous substance location for the purposes of regulation 10.34(1)(d).

- (2) A compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 2.3 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.3 that correspond to the provision specified in column 2 of that table.

Table 2.3

Item	Regulation	Action	Records
1	10.6(1)(a)	Verify whether the hazardous area is delineated in accordance with AS/NZS 60079.10.1:2009	A note as to whether the hazardous area is compliant
2	10.26(4)(b)	Verify that the hazardous area is delineated, classified, and depicted on a site plan Verify sample elements of the plan to ensure it is correct	The hazardous area site plan and a note confirming it is correct
3	10.26(4)(c)	Verify that the hazardous area is maintained	A reference to the electrical dossier A copy (or date and identifier) of electrical certificate(s) A note or record of representative samples of procedures and/or equipment

4 Separation of class 2.1.1 permanent gases

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.19 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).
- (2) A compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 2.4 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.4 that correspond to the provision specified in column 2 of that table.

Table 2.4

Item	Regulation	Action	Records
1	11.19(2)	Verify that the prescribed separation distance between the vehicle fill points and storage of permanent gas is met	A record that confirms the minimum distance is complied with
2	11.19(3)	Verify that the prescribed separation distances are met	A record that confirms the minimum distances are complied with
3	11.19(5)	Verify that the prescribed separation distances are met	A record that confirms the minimum distances are complied with

4	11.19(6)	Verify that the prescribed separation distances are met	A record that confirms the minimum distances are complied with
---	----------	---	--

5 Separation of class 2.1.1 liquefiable gases: cylinders

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.20 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).
- (2) A compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.5 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.5 that correspond to the provision specified in column 2 of that table.

Table 2.5

Item	Regulation	Action	Records
1	11.20	Determine which subclause(s) (if any) of regulation 11.20 apply to the hazardous substance location	A record of the determination and the quantities of class 2.1.1 liquefiable gas present
2	11.20(1)	Verify that the separation distances are met	A record of the basis for the verification
3	11.20(2)	Verify that if the cylinders contain up to 100 kg, the requirements relating to the proximity of buildings and openings are met	A record of the basis for the verification
4	11.20(3)	Verify that the cylinders are not located within 1 m of an opening to a drain	A record of the basis for the verification
5	11.20(4)	Verify that if the cylinders contain more than 100 kg and up to 300 kg, the requirements relating to the proximity of buildings and openings are met	A record of the basis of the verification, including the nature of fire-resistant materials, separation distance, and openings
6	11.20(5)	Verify that if the cylinders contain more than 300 kg and up to 1000 kg, the requirements relating to the proximity of buildings and openings are met and the wall of the building is vapour tight	A record of the basis of the verification, including the nature of the FRR materials, separation distance, and openings

6 Separation of class 2.1.1 liquefiable gases: above ground stationary tanks, transportable containers, tank wagons, and tank fill transfer points

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.21 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).
- (2) A compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.6 that corresponds to the provision specified in column 2 of that table; and

- (b) make and retain the records specified in column 4 of table 2.6 that correspond to the provision specified in column 2 of that table.

Table 2.6

Item	Regulation	Action	Records
1	11.21	Verify that the separation distances are met for the stationary tank, transportable container, or tank wagon, and the tank fill transfer point	A record of the following: (a) the capacity of the container: (b) confirmation that minimum prescribed distances are met

7 Separation of class 2.1.1 liquefiable gases: cylinder filling

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.22 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).
- (2) A compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 2.7 that corresponds to the provision specified in column 2 of that table; and
- (b) make and retain the records specified in column 4 of table 2.7 that correspond to the provision specified in column 2 of that table.

Table 2.7

Item	Regulation	Action	Records
1	11.22(1)	Verify that the separation distances are met for the cylinder filling station	A record of the following: (a) the quantity of liquefiable gas at the hazardous substance location: (b) confirmation that the relevant minimum prescribed distance is met: (c) the point on the cylinder filling station that the separation distance is measured from

8 Separation of LPG, propane, and butane: stationary container systems

- (1) This clause applies when a compliance certifier is determining whether a stationary container system at a hazardous substance location containing LPG, propane, butane, or isobutane meets the following regulations for the purposes of regulation 10.34(1)(k):
- (a) Subpart 3 of Part 17 of the Regulations, in relation to separation distances of above ground stationary tanks:
- (b) Subpart 7 of Part 17 of the Regulations, in relation to firefighting equipment and facilities:

- (c) regulation 17.56, in relation to vapourisers:
 - (d) regulation 17.80, in relation to records.
- (2) A compliance certifier must, in relation to the hazardous substance location, for each of tables 2.8.1, 2.8.2, 2.8.3, and 2.8.4,—
- (a) take the action specified in column 3 of the table that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of the table that correspond to the provision specified in column 2 of that table.

Table 2.8.1

Item	Regulation	Action	Records
1	17.17	Determine which provisions of regulation 17.17 apply	A record of the determination
2	17.17(1) 17.17(3)	Verify the separation distance between a class 2.1.1 liquefied gas tank and a class 2.1.1 permanent gas tank	A record of the following: (a) the capacity of the tanks; (b) confirmation that minimum prescribed distances are met
3	17.17(2) 17.17(3)	Verify the separation distances between class 2.1.1 liquefied gas tanks	A record of the following: (a) the capacity of the tanks; (b) confirmation that minimum prescribed distances are met
4	17.21(2)(b)	Verify the separation distance between a class 2.1.1 liquefied gas tank and a tank containing a class 2.1.1 permanent gas or a class 5, 6, 8, or 9 substance that does not have a flammable classification	A record of the following: (a) the capacity of the tanks; (b) confirmation that minimum prescribed distances are met

Table 2.8.2

Item	Regulation	Action	Records
1	17.40	Determine which provisions of regulation 17.40 apply	A record of the tank capacity or cluster capacity (as relevant)
2	17.40(2) 17.42	Verify that the fire-fighting equipment and facilities are compliant	A record of— (a) the type of firefighting system; and (b) verification of the water delivery rate; and (c) the results of testing the system; and (d) the test date

Table 2.8.3

Item	Regulation	Action	Records
1	17.56	Determine which provisions of regulation 17.56 apply	A record of the nature of the vapouriser and the capacity
2	17.56(1)	Verify that— (a) the flow of liquid will cease if the vapouriser ceases to vapourise; and	A record of either— (a) the relevant approval number in the record of

		(b) it is not possible for the gas in its liquid phase to discharge from the vapouriser outlet nozzle	(b) approved vapourisers published by WorkSafe; or details of the vapouriser's compliance with regulation 17.56(1)(a) and (b)
3	17.56(3)	Verify that the separation distance requirements are met	A record of the separation distance
4	17.56(5)	Verify— (a) the means of heating the vapouriser; and (b) the separation distance between any direct fired device and the stationary tank	A record of the following: (a) whether the vapouriser is indirectly heated; (b) whether there is a direct fired device and, if so, the distance between the direct fired device and the stationary tank

Table 2.8.4

Item	Regulation	Action	Records
1	17.80	Determine whether regulation 17.80 applies	A record of whether LPG, propane, butane, or isobutane is in the stationary tank
2	17.80(1) 17.80(3)	Verify that a plan is available which depicts the prescribed items	A record of the plan or a reference to the plan and a statement that it is compliant
3	17.80(2)	Verify that there are records available	A copy of the records or a reference to them
4	17.80(3)	Verify that there is a process to update the records	A record of the process or a reference to it

9 Separation of class 2.1.2 aerosols

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 11.8 and 11.23 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.9 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.9 that correspond to the provision specified in column 2 of that table.

Table 2.9

Item	Regulation	Action	Records
1	11.8 11.23	Establish the quantity of aerosols present and confirm the aggregate water capacity exceeds 3,000 L	A record of the quantities and separation distances

Determine the nature of any neighbouring property and verify the separation distance
Determine which subclauses apply

Hazardous substance location holding not more than 10,000 L aggregate water capacity

2	11.24(1)(a) 11.24(1)(b)	Verify the construction details of the room or building including details of the walls, ceiling, doors, and fittings as well as the fire protection	Records of the building layout, building construction, FRR, and building elements including suppliers' tags for doors and windows
3	11.24(1)(c) 11.24(1)(d)	Verify that the general purpose warehouse used for receiving, storing, and distributing mixed goods (including flammable aerosols)— (a) is not a warehouse for the primary purpose of storing hazardous substances; and (b) is not accessible by the general public; and (c) has the flammable aerosols in the warehouse separated from the rest of the warehouse in accordance with the prescribed requirements and has prescribed fire protection	Records of the building layout, building construction, FRR, and building elements including suppliers' tags for doors and windows

Hazardous substance location holding more than 10,000 L but not more than 100,000 L aggregate water capacity of flammable aerosols

4	11.25(1)(a) 11.25(1)(b)	Verify the construction details and the fire protection of the building or the room	Records of the building layout, building construction, FRR, building details, and fire protection A record of building details is to include a record of tags of the building elements
5	11.25(1)(c) 11.25(1)(d)	Verify the location that is in a general purpose warehouse for receiving, storing, and distributing mixed goods (including flammable aerosols)— (a) is not a warehouse for the primary purpose of storing hazardous substances; and (b) is not accessible by the general public Verify the construction details and the fire protection of the building or the room	A record confirming that the warehouse is a general purpose warehouse and is not accessible by the public Records of the building layout, building construction, FRR, building details, and fire protection A record of building details is to include a record of tags of the building elements

Hazardous substance location holding more than 100,000 L aggregate water capacity of flammable aerosols

6	11.26(a) 11.26(b)	Verify the construction details and the fire protection of the building or the room	A record confirming that the warehouse is a general purpose warehouse and is not accessible by the public Records of the building layout, building construction, FRR,
---	----------------------	---	--

7	11.26(c) 11.26(d)	Verify that the location— (a) is in a general purpose warehouse used for receiving, storing, and distributing mixed goods (including flammable aerosols); and (b) is not a warehouse for the primary purpose of storing hazardous substances; and (c) is not accessible by the general public Verify the flammable aerosols in the warehouse are separated from the rest of the warehouse Verify the construction details and the fire protection of the building or the room	building details, and fire protection A record of building details is to include a record of tags of the building elements A record confirming that the warehouse is a general purpose warehouse and is not accessible by the public Records of the building layout, building construction, FRR, building details, and fire protection A record of building details is to include a record of tags of the building elements
---	----------------------	--	---

10 Separation of class 3.1A, 3.1B, and 3.1C substances: bulk containers

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.28 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j) when class 3.1A, 3.1B, or 3.1C substances are contained in a bulk container (excluding class 3.1C substances located in a tank in a room or chamber of 240/240/240 FRR supplying fuel to an internal combustion engine or burner).
- (2) A compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.10 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.10 that correspond to the provision specified in column 2 of that table.

Table 2.10

Item	Regulation	Action	Records
1	11.28	Verify that— (a) the separation distances are based on the water capacity of the bulk container; and (b) the prescribed separation distance requirements are met	A record that includes— (a) vessel capacity; and (b) the substance contained; and (c) confirmation that prescribed separation distances are met

11 Separation of class 3.1 substances: transfer points to protected places

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.35 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j) for fill points used to fill a tank wagon.
- (2) The compliance certifier must, in relation to the hazardous substance location,—

- (a) take the action specified in column 3 of table 2.11 that corresponds to the provision specified in column 2 of that table; and
- (b) make and retain the records specified in column 4 of table 2.11 that correspond to the provision specified in column 2 of that table.

Table 2.11

Item	Regulation	Action	Records
1	11.35	Verify that the separation distance to a protected place is met	A record that includes— <ul style="list-style-type: none"> (a) the substances contained; and (b) confirmation that the prescribed separation distance is met; and (c) the type of transfer point

12 Class 3.1 substances to be held in buildings of a certain type

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.29 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.12 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.12 that correspond to the provision specified in column 2 of that table.

Table 2.12

Item	Regulation	Action	Records
<i>Storage Cabinet</i>			
1	11.29(3)	Verify— <ul style="list-style-type: none"> (a) the quantity of substances and their hazard classifications; and (b) the standard to which the cabinet is constructed; and (c) where more than one cabinet is located within a building, the aggregate capacity of the cabinets and the separation of the cabinets; and (d) for AS 1940 cabinets, the exclusion of sources of ignition around the cabinet 	A record of— <ul style="list-style-type: none"> (a) the plate on the cabinet or the standard the cabinet is constructed to; and (b) the location of the cabinet; and (c) the separation distance between the cabinets (if applicable); and (d) exclusion of ignition sources

Building types A, B, C, and D storage

2	11.29(2)	Verify— <ul style="list-style-type: none"> (a) the building type; and (b) compliance with the building type in all aspects i.e. walls, roof, doors, and windows; and (c) the classification of the substance; and 	A record of— <ul style="list-style-type: none"> (a) the quantity and hazard classes of the substances stored; and (b) the building type; and
---	----------	--	--

- | | |
|---|---|
| <ul style="list-style-type: none"> (d) the package sizes; and (e) the prescribed separation distances; and (f) the actual separation distances | <ul style="list-style-type: none"> (c) the details of the FRR building elements, including suppliers' tags for doors and windows; and (d) the actual separation distances |
|---|---|

13 Storage of packages holding up to 60 litres of class 3.1 substances: separation from protected place

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.30 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j) when a class 3.1A, 3.1B, or 3.1C substance is located in a package in a building or an external storage area.
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.13 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.13 that correspond to the provision specified in column 2 of that table.

Table 2.13

Regulation	Action	Records
11.30	Verify that the separation distance to a protected place is met	A record that includes— <ul style="list-style-type: none"> (a) the substances contained; and (b) confirmation that the prescribed separation distance is met

14 Storage of packages holding class 3.1 substances in stores inside buildings

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.31 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.14 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.14 that correspond to the provision specified in column 2 of that table.

Table 2.14

Item	Regulation	Action	Records
1	11.31	Determine which provisions of regulation 11.31 apply	A record of the determination and the quantities of class 3 substances present

2	11.31(1)(a)	Verify—	<ul style="list-style-type: none"> (a) that the stored substances are within the prescribed maximum; and (b) the construction details of the building, including details of the walls, ceiling, and doors; and (c) the prescribed quantity and package size limitations; and (d) if applicable, the requirements for when a door is opening into a building 	A record of—	<ul style="list-style-type: none"> (a) the quantity of flammable substances; and (b) the FRR elements, including suppliers' tags for doors and windows; and (c) details of compliance with prescribed requirements for a door opening into a building
3	11.31(1)(b)	Verify—	<ul style="list-style-type: none"> (a) that the stored substances are within the prescribed maximum; and (b) the construction details of the building including details of the walls, ceiling, and doors; and (c) the prescribed quantity and package size limitations; and (d) if applicable, the requirements for when a door is opening into a building 	A record of—	<ul style="list-style-type: none"> (a) the quantity of flammable substances; and (b) the FRR elements, including suppliers' tags for doors and windows; and (c) details of compliance with prescribed requirements for a door opening into a building
4	11.31(1)(c)	Verify—	<ul style="list-style-type: none"> (a) that the stored substances are within the prescribed maximum; and (b) the construction details of the building including details of the walls, ceiling, and doors; and (c) the prescribed quantity and package size limitations; and (d) if applicable, the requirements for when a door is opening into a building 	A record of—	<ul style="list-style-type: none"> (a) the quantity of flammable substances; and (b) the FRR elements, including suppliers' tags for doors and windows; and (c) details of compliance with prescribed requirements for a door opening into a building

Type D storage with more than two walls in common with another building

5	11.31(3)	Verify—	<ul style="list-style-type: none"> (a) that the stored substances are within the prescribed maximum; and (b) the construction details of the building including details of the walls, ceiling, and doors; and (c) the prescribed quantity and package size limitations 	A record of—	<ul style="list-style-type: none"> (a) the quantity of flammable substances and package sizes; and (b) the FRR elements, including suppliers' tags for doors and windows
---	----------	---------	---	--------------	--

15 Storage of packages holding more than 60 litres of class 3.1 substances: separation from protected place

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.34 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j) when a class 3.1A, 3.1B, or 3.1C substance is located in a package in a building or an external storage area.
- (2) The compliance certifier must, in relation to the hazardous substance location,—

- (a) take the action specified in column 3 of table 2.15 that corresponds to the provision specified in column 2 of that table; and
- (b) make and retain the records specified in column 4 of table 2.15 that correspond to the provision specified in column 2 of that table.

Table 2.15

Regulation	Action	Records
11.34	Verify that the separation distance to a protected place is met	A record that includes— (a) the substances contained; and (b) confirmation that the prescribed separation distance is met

16 Class 3.1 substances used or in open packages or containers to be held in buildings of a certain type

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 11.36 and 11.37 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j)
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.16 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.16 that correspond to the provision specified in column 2 of that table.

Table 2.16

Item	Regulation	Action	Records
1	11.36	Verify the building type and the construction details of the building Determine which regulations apply	A record of— (a) the building FRR details including suppliers' tags for doors and windows; or (b) details of compliance with AS/NZS 4114.1:2003 e.g. a record of the plate or the supplier's verification

Type 1 workroom or a paint mixing room

2	11.37(2)(a)	Verify— (a) that the workroom/paint mixing room holds no more than the prescribed quantity or container size; and (b) the location of the building	A record of container sizes, aggregate quantities, and the location of the building
---	-------------	--	---

Type 2 or Type 3 workroom

3	11.37(2)(b)	Verify that the building holds no more than the prescribed quantity	A record of hazardous substance classes and aggregate quantities
---	-------------	---	--

4	11.37(4)	Verify that the separation distances meet or exceed the prescribed separation distances	A record of the actual and prescribed separation distances
---	----------	---	--

Other building type - regulation 11.37(5)

5	11.37(5)	Verify— (a) the quantity of hazardous substances; and (b) that the quantity of class 3.1 substances is not more than the specified maximum; and (c) the occupancy of the building; and (d) the construction details of that part of the building; and (e) the controls on prohibiting ignition sources	A record of— (a) the quantities; and (b) the building details in the vicinity of the flammable substances; and (c) the occupational details of the building
---	----------	---	--

17 Storage of packages holding class 3.1A, 3.1B, or 3.1C substances in retail stores

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.32 or 11.33 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).
- (2) A compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 2.17 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.17 that correspond to the provision specified in column 2 of that table.

Table 2.17

Item	Regulation	Action	Records
1	11.32(1) 11.33(1)	Determine whether regulation 11.32 or 11.33 applies	A record of the business type and container details
2	11.32(1)(b)	Verify that the quantities of class 3.1 substances are not more than the maximum	A record of the quantities
3	11.33(2)(b)	Verify that requirements for separation are compliant	A record of the separation details
4	11.33(2)(c)	Verify that the retail store complies with section 3.4 (General Requirements for Retail Storage) of AS/NZS 3833:2007	A record of the building elements
5	11.33(1)(d) 11.33(1)(e)	Verify that the building is compliant	A record of the separation distances Where there is an intervening wall, a record of the FRR elements of the wall

18 Indoor storage or use of LPG, propane, butane, or isobutane

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 11.42 have been met at a hazardous substance location for the purposes of regulation 10.34(1)(j).

- (2) A compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 2.18 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 2.18 that correspond to the provision specified in column 2 of that table.

Table 2.18

Item	Regulation	Action	Records
1	11.42(1)	Verify that the quantities of LPG, propane, butane, or isobutane are not more than the maximum	A record of the quantities

Schedule 3

Requirements specific to class 3.2 and 4 substances

1 Temperature control plans for class 3.2 and 4 substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 10.22 have been met at a hazardous substance location for the purposes of regulation 10.36(1)(d).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 3.1 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 3.1 that correspond to the provision specified in column 2 of that table.

Table 3.1

Item	Regulation	Action	Records
1	10.22(2)	Verify that there is a temperature control plan and system in place	A record of the temperature control plan and system, or a reference to the plan
2	10.22(2)(a)	Verify that the temperature control plan monitors and controls the temperature of the space in which the substance is located and prevents the temperature exceeding the prescribed temperature	A record of elements of the plan, or a reference to the plan
3	10.22(2)(b)	Verify steps that are to be taken, if the prescribed temperature is exceeded, to prevent the emergency temperature being reached	A record of the elements of the plan, or a reference to the plan

2 Boundary of controlled zones for class 3.2 and 4 substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 10.28 have been met at a hazardous substance location for the purposes of regulation 10.36(1)(e).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 3.2 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 3.2 that correspond to the provision specified in column 2 of that table.

Table 3.2

Item	Regulation	Action	Records
1	10.28	Determine which subclause applies	A record of the subclause

2	10.28(2) 10.28(3) 10.28(4) Schedule 9	Verify the FRR of the wall Verify the separation distance to the boundary of the controlled zone	A record of the wall FRR details or a record of the actual and prescribed distances or both
---	--	---	---

3 Class 4.1.1, 4.1.2, and 4.1.3 substances to be segregated from incompatible substances and likelihood of unintended ignition to be reduced

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 10.5, 10.23, 10.24, and 10.25 have been met at a hazardous substance location for the purposes of regulation 10.36(1)(g).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 3.3 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 3.3 that correspond to the provision specified in column 2 of that table.

Table 3.3

Item	Regulation	Action	Records
1	10.5	Verify that the class 3.2 or 4 substances are segregated from the incompatible substances	A record that— <ul style="list-style-type: none"> (a) identifies the hazardous substance location; and (b) identifies the classes of substances present; and (c) notes whether there are any incompatible substances nearby; and (d) specifies the means of segregation
2	10.23	For class 4.1.1 substances that may cause fire through friction, verify that if any substances with UN serial numbers UN1331, UN1343, UN1944, UN1945, or UN2254 are present, they are not subject to more than 50% of the minimum amount of friction required to cause ignition	A record of the following: <ul style="list-style-type: none"> (a) the quantities of substances; (b) confirmation of compliance
3	10.24(1)(a)	Verify whether class 4.1.2A, 4.1.2B, 4.1.2C, or 4.1.2D substances are in a conforming secured storage area	A record of the following: <ul style="list-style-type: none"> (a) the quantities of the substances; (b) the details of section 5 of AS/NZS 5026:2012
4	10.24(2)(a)	Verify that class 4.1.2A, 4.1.2B, 4.1.2C, 4.1.2D, 4.1.2E, or 4.1.2F substances in packaging or containers are handled in accordance with regulations 10.5, 10.21, 10.22, 10.24(5), and 10.24(6)	A record that— <ul style="list-style-type: none"> (a) lists the nature of the segregation; and (b) lists the ignition prevention measures; and (c) lists the temperature control measures; and

			(d) confirms the substances are not subject to impact or shock; and
			(e) confirms compliance with the friction limits
5	10.24(2)(b) 10.24(3)	Verify that the packaging or containers of class 4.1.2A, 4.1.2B, 4.1.2C, 4.1.2D, 4.1.2E, or 4.1.2F substances have a maximum capacity and thermal properties that will not cause or contribute to a fire or explosion	A record that— (a) confirms packaging is compliant; and (b) confirms the thermal properties are compliant
6	10.24(7)	Verify that any class 4.1.2A substances are not: (a) more than 500g per package or container; (b) transported by sea, air, public road, or public railway	A record of the following: (a) the quantity of class 4.1.2 substances; (b) confirmation of transportation compliance
7	10.25(1)	For class 3.2 and 4.1.3 substances, verify that— (a) the minimum concentration of desensitising agent has been determined; and (b) there are procedures to ensure the desensitising agent does not fall below 125% of the minimum concentration	A record of the minimum concentration and the procedure

4 Class 3.2 and 4 substances to be secured

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 10.4 have been met at a hazardous substance location for the purposes of regulation 10.36(1)(c).
- (2) The compliance certifier must, in relation to that hazardous substance location,—
 - (a) take the action specified in column 3 of table 3.4 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 3.4 that correspond to the provision specified in column 2 of that table.

Table 3.4

Item	Regulation	Action	Records
1	10.4(1)	Verify that the substances are present in quantities specified in Table 2 of Schedule 9 of the Regulations	A record that identifies— (a) the hazardous substance location; and (b) the quantity of hazardous substances present
2	10.4(1)(a)	Verify that class 4.1.2A, 4.1.2B, 4.1.2C, and 4.1.2D substances are secured to the standard prescribed in regulation 10.24(1)	A record confirming compliance with the elements of section 5 of AS/NZS 5026:2012
3	10.4(1)(b)	Verify that for class 3.2 substances and all other class 4 substances, the hazardous substance location is secured from access by persons other than those permitted by the PCBU to access the substance	A record that specifies the means by which the substances are secured

Schedule 4 Requirements specific to class 5.1.1 and 5.1.2 substances

1 Class 5.1.1 and 5.1.2 substances to be secured

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 12.3 have been met at a hazardous substance location for the purposes of regulation 12.18(b).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 4.1 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 4.1 that correspond to the provision specified in column 2 of that table.

Table 4.1

Item	Regulation	Action	Records
1	12.18(b)	Verify— (a) that the quantity exceeds the threshold specified in Table 6 of Schedule 10 of the Regulations; and (b) that the hazardous substance location is secured from access by persons other than those permitted by the PCBU to access the substance	A record that— (a) identifies the hazardous substance location; and (b) identifies the means by which the substances are secured

2 Likelihood of unintended ignition to be reduced

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 12.9 have been met at a hazardous substance location for the purposes of regulation 12.18(e).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 4.2 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 4.2 that correspond to the provision specified in column 2 of that table.

Table 4.2

Item	Regulation	Action	Records
1	12.9(1)(a)	Verify compliance with regulation 12.5(5)	A record of the temperature control details
2	12.9(1)(b)	Verify that the area around the class 5 substance is free of incompatible substances, as defined in regulation 12.1	A record of segregation details

3	12.9(1)(c)	Verify the details of separation from ignition sources	A record of the separation distance or walls
4	12.9(1)(d)	Verify separation of particulate matter or gas from ignition sources	A record of the separation distance or walls
5	12.9(1)(f)	Verify that there is no ability to ingress electrical equipment	A record of the separation distance or walls
6	12.9(2)	Verify that containers are closed	A note, photograph, or equivalent

3 Control adverse effects of unintended combustion of class 5.1.1 and 5.1.2 substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 12.12 have been met at a hazardous substance location for the purposes of regulation 12.18(f).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 4.3 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 4.3 that correspond to the provision specified in column 2 of that table.

Table 4.3

Item	Regulation	Action	Records
1	12.12(1)(a)	Verify that a controlled zone is established and that persons not personally permitted within the controlled zone are excluded	A record of the controlled zone
2	12.12(1)(b)	Verify that the separation requirements comply with the requirements of regulation 12.9(1)(b)(i) and (c) or 12.9(1)(b)(ii) and (c)	A record of the means by which the separation is established
3	12.12(2)	Verify that regulations 12.9(1)(d), (e), (f), and (if a class 5.1.1 or 5.1.2 substance is manufactured or used) 12.10 are met	A record of the means of compliance
4	12.12(3)	Verify— <ol style="list-style-type: none"> (a) the separation of the interior of a proximate building that is a place of regular habitation and not dedicated to the use or manufacture of the hazardous substance; and (b) the separation of any place where a person may be legally present in the controlled zone 	A record of the means of separation

4 Fixed structures to be compatible

- (1) This clause applies when a compliance certifier is determining whether fixed structures at a hazardous substance location have been constructed of compatible material for the purposes of regulation 12.18(g).

- (2) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 4.4 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 4.4 that correspond to the provision specified in column 2 of that table.

Table 4.4

Item	Regulation	Action	Records
1	12.18(g)	Verify that any fixed structure or equipment within the location is constructed of compatible material and is not an ignition source	A record of material and construction details

5 PPE for class 5.1.1 and 5.1.2 substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 12.6 and 12.11 have been met at a hazardous substance location for the purposes of regulation 12.18(h).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 4.5 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 4.5 that correspond to the provision specified in column 2 of that table.

Table 4.5

Item	Regulation	Action	Records
1	12.6(1) 12.6(2) 12.6(3) 12.6(4) 12.6(5) 12.6(6)	Review the hazardous substances and the nature of the activities and verify the PPE is suitable	<p>A record that conveys—</p> <ul style="list-style-type: none"> (a) the availability of the PPE; and (b) the nature of the PPE; and (c) the compatibility of the PPE with the substance; and (d) that the substance does not accumulate on the PPE; and (e) that the PPE does not cause the substance to combust <p>A record that confirms—</p> <ul style="list-style-type: none"> (a) that the PPE material cannot be degraded in the specified time; and (b) the suitability of the PPE for the operating temperatures; and (c) that the instructions are accessible; and

			(d) that the instructions are readily understandable
2	12.11	Unless the hazardous substance location has only 65-70% aqueous nitric acid, verify whether combustion is intended or contact with incompatible substances or ignition sources, or exposure to greater temperature than the limit, is anticipated	A record of whether— (a) combustion is intended; and (b) contact or exposure is intended or anticipated
3	12.11(1)	Verify that the worker uses PPE at any time— (a) a class 5.1.1 or 5.1.2 substance comes into contact with an ignition source or an incompatible substance or material or may be exposed to a greater temperature than the limit set in regulation 12.5(5); and (b) that it is reasonable to expect that such contact or exposure might accidentally occur	A record that refers to— (a) the availability and nature of the PPE; and (b) evidence that the PPE cannot be degraded; and (c) the maintenance documentation; and (d) the operating procedure; and (e) the accessibility of the documentation
4	12.11(2)	Verify the PPE— (a) is designed, constructed, and operated so as to prevent the substance making direct contact with the wearer or user; and (b) meets the requirements of regulation 12.6(4), (5), and (6)	A record of— (a) the matters referred to in item three above; and (b) fit tests

6 Arrangements to prevent contact with and accumulation of class 5.1.1 and 5.1.2 substances and incompatible material

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 12.9(1)(e) have been met at a hazardous substance location for the purposes of regulation 12.18(i).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 4.6 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 4.6 that correspond to the provision specified in column 2 of that table.

Table 4.6

Item	Regulation	Action	Records
1	12.9(1)(e)	Verify that there are compliant PPE and handling procedures	A record of the following: (a) the documented procedure, a copy of the header and contents of the documented procedure, or a unique reference to identify the documented procedure; (b) confirmation that the procedural requirements

- of regulation 12.9(1)(e)
are complied with:
- (c) confirmation that the
documented procedure is
being implemented at the
location

7 Locations where class 5.1.1 and 5.1.2 substances are manufactured or used

- (1) This clause applies when a compliance certifier is determining whether, in addition to the requirements of regulation 12.18, the requirements of regulation 12.19 have been met at a hazardous substance location.
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 4.7 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 4.7 that correspond to the provision specified in column 2 of that table.

Table 4.7

Item	Regulation	Action	Records
1	12.19	Verify that, if class 5.1.1 or 5.1.2 substances are manufactured or used, there are documented procedures to ensure that every person leaving the location is free of any class 5.1.1 or 5.1.2 substance	A record of the documented procedure, a copy of the header and contents of the documented procedure, or a unique reference to identify the documented procedure

Schedule 5 Requirements specific to class 5.2 substances

1 Class 5.2 substances to be secured

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 12.45 have been met at a hazardous substance location for the purposes of regulation 12.43(b).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 5.1 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 5.1 that correspond to the provision specified in column 2 of that table.

Table 5.1

Item	Regulation	Action	Records
1	12.45(1)	If a class 5.2A, 5.2B, 5.2C, or 5.2D substance is present, confirm that the substance is secured in a compliant container. [Note that AS 2714—2008 does not address class 5.2A substances]	A record of the plate of the container
2	12.45(2)	If a class 5.2E or 5.2F substance is required to be secured, confirm that it is secured from unauthorised access	A record or file note of the compliant security arrangement

2 Reduce unintended combustion or explosion of class 5.2 substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 12.35(1)(a) to (d), (f), and (2) have been met at a hazardous substance location for the purposes of regulation 12.43(e) and (i).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 5.2 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 5.2 that correspond to the provision specified in column 2 of that table.

Table 5.2

Item	Regulation	Action	Records
1	12.35(1)(a)	Verify that the temperature of the immediate area around the class 5.2 substance complies with the relevant requirements of regulation 12.27	A record that specifies (if applicable): <ol style="list-style-type: none"> (a) the control temperatures; and (b) the actual temperature; and (c) the process; and (d) the control mechanisms

Health and Safety at Work (Hazardous Substances—Location Compliance
Certification for Classes 2 to 6, and 8) Performance Standard 2021

2	12.28(1)	Verify that a class 5.2 substance is not likely to be subject to any impact or pressure shock that could result in an explosion or a fire (unless ignition is intended)	A file note of the location
3	12.35(1)(b)	Verify that the area around the class 5.2 substance is free of incompatible substances or materials and is separated from them by the prescribed distance or complying wall	A record of— (a) the location; and (b) the detail of the wall or the separation distance
4	12.35(1)(c)	Verify that the substance is separated from ignition sources by the prescribed distance or complying wall	A record of— (a) the location; and (b) the detail of the wall or the separation distance
5	12.35(1)(d)	Verify that any area where particulate matter or vapour from a class 5.2 substance is likely to form is separated from any ignition source by the prescribed separation distance or complying wall to the degree provided in paragraph (c)	A record of— (a) the location; and (b) the detail of the wall or the separation distance
6	12.35(1)(e)	Verify that there are compliant PPE and handling procedures	A record or note of the— (a) process for persons to enter the location; and (b) the PPE
7	12.35(1)(f)	Verify that the location is designed and managed so that any moisture, gas, particulate matter, or vapour of a class 5.2 substance does not present a hazard in respect of electrical equipment that may be present	A record or note of the location and the measures taken by the PCBU
8	12.35(2)	Verify that a package or container that contains a class 5.2 substance within a hazardous substance location is kept closed except as allowed under regulation 12.36(1)(a), which relates to the manufacturing or use of class 5.2 substances	A record or note of the containers closed
9	12.31(1)	Verify that the documentation requires any spill or leak of the substance to be immediately absorbed or diluted using compatible absorbents or diluents, or otherwise recovered	A record of the documentation or notes referencing the documentation
10	12.31(2)	Verify that the documentation requires any absorbed, diluted, or otherwise recovered substance to be— (a) correctly disposed of; or (b) analytically tested and recorded as being free of any incompatible substance	A record of the documentation or notes referencing the documentation
11	12.31(3)	Verify that any absorbents or PPE used in the recovery of a class 5.2 substance are disposed of according to the requirements for the disposal of such substances specified in the Hazardous Substances (Disposal) Notice 2017 dealing with their disposal, if the class 5.2 substance has not been removed from the absorbents or equipment	A record of the disposal process

3 PPE for class 5.2 substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 12.29 and 12.30 have been met at a hazardous substance location for the purposes of regulation 12.43(h).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 5.3 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 5.3 that correspond to the provision specified in column 2 of that table.

Table 5.3

Item	Regulation	Action	Records
1	12.29(1)	Verify that when a class 5.2 substance is used where contact or exposure with the substance is not intended or anticipated, the PCBU ensures the worker uses PPE which is designed, constructed, and operated compliantly	A record that— (a) details the processes used; and (b) specifies details of the PPE
2	12.29(3)(a) 12.29(4) 12.29(5)	Verify that— (a) the PPE is designed and constructed of materials that are suitable for the circumstances in which they are operated; and (b) there is readily accessible and understandable documentation on the use and maintenance of the PPE	A record that confirms— (a) the range of circumstances; and (b) the suitability of the PPE; and (c) that documentation on instruction, use, and maintenance is available
3	12.30(1) 12.30(2)	Verify that compliant PPE is used when— (a) a class 5.2 substance is used; and (b) there is contact or exposure with the substance; and (c) exposure of the substance to temperature, incompatible substance, or pressure shock is intended, anticipated, or might accidentally occur	A record of— (a) the location; and (b) details of the PPE, including manufacturer’s details confirming compliance; and (c) operating procedures or use of the PPE

4 Control adverse effects of combustion or explosion of class 5.2 substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 12.37 have been met at a hazardous substance location for the purposes of regulation 12.43(f).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 5.4 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 5.4 that correspond to the provision specified in column 2 of that table.

Table 5.4

Item	Regulation	Action	Records
1	12.37	<p>Verify that—</p> <p>(a) there is a controlled zone established; and</p> <p>(b) any person not personally permitted to be there by the PCBU is excluded from the zone; and</p> <p>(c) the prescribed separation requirements are complied with</p> <p>Verify that the PCBU with management or control of the hazardous substance location has ensured that, within the controlled zone, the requirements of regulations 12.35(1)(a), (b), (e), (f), and (if a class 5.2 substance is manufactured or used) 12.36 have been met</p> <p>Verify that the PCBU with management or control of the hazardous substance location has ensured that the interior of any proximate building that is a place of regular habitation and not dedicated to the use or manufacture of the hazardous substance, or any place where a person may legally be that would otherwise be within the controlled zone, has been separated in accordance with the prescribed requirements</p>	<p>A record of—</p> <p>(a) the location; and</p> <p>(b) the controlled zone; and</p> <p>(c) the details of the walls or separation distances; and</p> <p>(d) the separation distance to any proximate building</p> <p>A record of the control measures within the controlled zone</p> <p>A record of the separation details</p>

5 Fixed structures to be compatible

- (1) This clause applies when a compliance certifier is determining whether fixed structures at a hazardous substance location are constructed of compatible material for the purposes of regulation 12.43(g).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 5.5 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 5.5 that correspond to the provision specified in column 2 of that table.

Table 5.5

Item	Regulation	Action	Records
1	12.43(g)	Verify that any fixed structure or installed equipment is constructed of compatible material and is not an ignition source	A record of the general nature of the structures or installed equipment

6 Locations where class 5.2 substances are manufactured or used

- (1) This clause applies when a compliance certifier is determining whether, in addition to the requirements of regulation 12.35, the requirements of regulation 12.36 have been met at a hazardous substance location for the purposes of regulation 12.44.

- (2) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 5.6 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 5.6 that correspond to the provision specified in column 2 of that table.

Table 5.6

Item	Regulation	Action	Records
1	12.36(1)	Verify that— (a) packages are closed; and (b) no person is exposed to the substance unless protected by PPE; and (c) every person leaving the hazardous substance location is free of the substance	A record that includes— (a) documentation of procedures and evidence of training or details of operations; and (b) details of PPE
2	12.36(2)	Verify that the hazardous substance location is separated from any other hazardous substance location by the prescribed distance or a compliant separating wall	A record that includes— (a) details of the hazardous substance location; and (b) details of the separation distances – prescribed and actual; and (c) details of any walls

Schedule 6

Requirements specific to class 6.1A, 6.1B, 6.1C, 8.2A, and 8.2B substances

1 Class 6.1 substances to be under control of certified handlers or secured

- (1) This clause applies when a compliance certifier is determining whether the requirements of the following regulations have been met at a hazardous substance location, for the purposes of regulation 13.39(b):
- (a) regulations 13.9 and 13.10 for class 6 substances:
 - (b) regulations 14.3 and 14.4 for fumigants.
- (2) The compliance certifier must, in relation to the hazardous substance location,—
- (a) take the action specified in column 3 of table 6.1 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 6.1 that correspond to the provision specified in column 2 of that table.

Table 6.1

Item	Regulation	Action	Records
1	13.9(1)(a) 13.9(2) 14.3 14.4	If there is a class 6.1A or 6.1B substance or any class 6.1 substance that requires a controlled substance licence, verify that— (a) the substance is under the personal control of a certified handler; or (b) if being applied by aerial application, a pilot with a chemical rating is present; or (c) if the substance is handled by another person who is not a certified handler, the certified handler— (i) is present at the place where the substance is being handled; and (ii) has provided guidance to the person in respect of the handling; and (iii) is available at all times to provide assistance to the person while the substance is being handled by the person; or (d) is secure	A record of the following: (a) confirmation of the need for a controlled substance licence; (b) the names of the certified handlers and their certificate numbers; (c) the certificate expiry dates; (d) the procedure(s) and the guidance that have been provided; (e) details of the secure containment

2 Separation of class 6.1A, 6.1B, 6.1C, 8.2A, and 8.2B substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 13.41, 13.42, 13.43, 17.28, and 17.29 have been met at a hazardous substance location for the purposes of regulation 13.39(e).
- (2) The compliance certifier must, in relation to the hazardous substance location,—

- (a) take the action specified in column 3 of table 6.2 that corresponds to the provision specified in column 2 of that table; and
- (b) make and retain the records specified in column 4 of table 6.2 that correspond to the provision specified in column 2 of that table.

Table 6.2

Item	Regulation	Action	Records
1	13.40	For class 6.1A, 6.1B, or 6.1C substances, verify that if an intervening wall is utilised, the requirements prescribed in regulation 13.40 are complied with	A record of— (a) the height of the wall in relation to the place being protected and the containers in the store; and (b) the marking indicating the maximum storage height; and (c) the wall FRR
2	13.41	For class 6.1A, 6.1B, or 6.1C substances, verify that the substances and stores meet the prescribed separation distances from protected places	A record of the following: (a) the actual and prescribed separation distances; (b) in a retail store, that the containers are closed and do not include class 6.1A substances
3	13.42	For class 6.1A, 6.1B, or 6.1C substances, verify that— (a) the substances and stores meet the prescribed separation distances from protected places; and (b) in a retail store that holds class 6.1B or 6.1C substances for retail sale and the packages remain closed, the minimum separation distance from and within the building is zero	A record of the following: (a) the actual and prescribed separation distances; (b) in a retail store, that the containers are closed and do not include class 6.1A substances
4	13.43	For class 8.2A or 8.2B substances, verify that: (a) the substances and stores meet the minimum prescribed separation distances for— (i) stores where containers are opened; and (ii) stores where the containers remain closed; and (b) in any retail store to which the public has access to class 8.2A or 8.2B substances for retail sale, the packages remain closed	A record of the following: (a) the actual and prescribed separation distances; (b) in a retail store, that the containers are closed; (c) whether the protected place is on-site and integral; (d) the measures taken to control hazards and minimise risk
5	17.28	Verify that a tank containing a class 6.1A, 6.2B, or 6.1C substance (but not a 6.1D substance for the purposes of this performance standard) that does not have a 2.1.1, 2.1.2, or 3.1 classification meets the minimum prescribed separation	A record of— (a) the capacity of the tank; and (b) actual and prescribed separation distances

6	17.29	distances from a protected place and a public place Verify that a tank containing a class 8.2A or 8.2B substance that does not have a 2.1.1, 2.1.2, 3.1, 6.1A, 6.2B, or 6.1C classification meets the prescribed separation distances from a protected place or public place	A record of— (a) the capacity of the tank; and (b) actual and prescribed separation distances
---	-------	---	---

3 Class 6.1A, 6.1B, 6.1C, 8.2A, and 8.2B substances to be segregated from incompatible substances or material

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 13.29 have been met at a hazardous substance location for the purposes of regulation 13.39(f).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 6.3 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the record specified in column 4 of table 6.3 that corresponds to the provision specified in column 2 of that table.

Table 6.3

Item	Regulation	Action	Records
1	13.29(2)	Verify whether any substances or materials specified in Schedule 15 of the Regulations which are incompatible with class 6.1A, 6.1B, 6.1C, 8.2A, and 8.2B substances are present	A record of the substances
2	13.29(1) 13.29(3)	Verify that— (a) the hazardous substances are not in contact with incompatible substances; and (b) containers of incompatible substances are stored separately	A record of the means of compliance

4 Stores for class 6.1A, 6.1B, 6.1C, 8.2A, and 8.2B substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 13.35 have been met at a hazardous substance location for the purposes of regulation 13.39(d)(i).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 6.4 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 6.4 that correspond to the provision specified in column 2 of that table.

Table 6.4

Item	Regulation	Action	Records
1	13.35(1)	Verify that a store containing a class 6 or 8	A record of—

substance or both is compliant with the prescribed requirements	(a) the floor area of the store; and (b) the access for emergency services; and (c) the details of the store; and (d) the number of exits; and (e) any authorisation from WorkSafe; and (f) secondary containment details; and (g) ventilation details; and (h) procedures to minimise stack collapse or damage; and (i) the security; and (j) segregation details; and (k) any sources of heat
2 13.35(1) Verify that a store containing a class 6 or 8 substance (or both) and which is opened is also compliant with the additional prescribed requirements	A record of— (a) shower and eyewash facilities, including the name plate; and (b) shower and eyewash facilities having been tested; and (c) hand-washing facilities

5 Indoor storage cabinets for class 6.1A, 6.1B, and 6.1C substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 13.36 have been met at a hazardous substance location for the purposes of regulation 13.39(d)(ii).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 6.5 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 6.5 that correspond to the provision specified in column 2 of that table.

Table 6.5

Item	Regulation	Action	Records
1	13.36(1)	For each hazardous substance location that is an indoor storage cabinet for class 6.1A, 6.1B, or 6.1C substances referred to in regulation 13.34(1), verify that the cabinet is— (a) compliant; and	A record of— (a) the location of the cabinet; and (b) the plate of the cabinet; and

		(b) located in accordance with the prescribed requirements; and	(c) the markings of the cabinet; and
		(c) marked as prescribed	(d) the quantities in the cabinet
2	13.36(1)	Verify that—	A confirmatory record
		(a) there are no incompatibles inside the cabinet; and	
		(b) there is a nearby source of water for hand-washing	

6 Indoor storage cabinets for class 8.2A and 8.2B substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 13.37 have been met at a hazardous substance location for the purposes of regulation 13.39(d)(iii).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 2 of table 6.6 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 3 of table 6.6 that correspond to the provision specified in column 2 of that table.

Table 6.6

Item	Regulation	Action	Records
1	13.37(1)	For each hazardous substance location that is an indoor storage cabinet for a class 8.2A or 8.2B substance (or both) referred to in regulation 13.34(1), verify that the maximum quantity of hazardous substance is not exceeded, and the cabinet is—	A record of—
		(a) compliant; and	(a) the location of the cabinet; and
		(b) located in accordance with the prescribed requirements; and	(b) the plate of the cabinet; and
		(c) marked as prescribed	(c) the markings of the cabinet; and
			(d) the quantities in the cabinet
2	13.37(1)	Verify that—	A confirmatory record
		(a) there are no incompatibles inside the cabinet; and	
		(b) there is a nearby source of water for hand-washing	

7 Fixed structures to be compatible

- (1) This clause applies when a compliance certifier is determining whether fixed structures at a hazardous substance location are constructed of compatible material for the purposes of regulation 13.39(g).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 6.7 that corresponds to the provision specified in column 2 of that table; and

(b) make and retain the records specified in column 4 of table 6.7 that correspond to the provision specified in column 2 of that table.

Table 6.7

Item	Regulation	Action	Records
1	13.39(g)	Verify that any fixed structure or installed equipment is constructed of compatible material and is not an ignition source	A record of the general nature of the structures or installed equipment

8 Equipment and PPE for class 6.1A, 6.1B, 6.1C, 8.2A, and 8.2B substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulations 13.7 and 13.8 have been met at a hazardous substance location for the purposes of regulation 13.39(h).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 6.8 that corresponds to the provision specified in column 2 of that table; and
 - (b) make and retain the records specified in column 4 of table 6.8 that correspond to the provision specified in column 2 of that table.

Table 6.8

Item	Regulation	Action	Records
1	13.7	Verify that when a class 6 or 8 substance is being used at a hazardous substance location— <ol style="list-style-type: none"> (a) the equipment used to handle the substance is compliant; and (b) the equipment is accompanied by documentation covering the use and maintenance of the equipment; and (c) the documentation is readily available and understandable; and (d) the workplace has the facilities that are specified in a safe work instrument (if applicable) 	A record of— <ol style="list-style-type: none"> (a) the equipment and the state of it; and (b) either the documentation or a note referencing the documentation; and (c) the use and maintenance of the equipment; and (d) the facilities
2	13.8	Verify that PPE is used	A record of the PPE and procedures

9 Clean-up materials and equipment for class 6.1A, 6.1B, 6.1C, 8.2A, and 8.2B substances

- (1) This clause applies when a compliance certifier is determining whether the requirements of regulation 13.45 have been met at a hazardous substance location for the purposes of regulation 13.39(k).
- (2) The compliance certifier must, in relation to the hazardous substance location,—
 - (a) take the action specified in column 3 of table 6.9 that corresponds to the provision specified in column 2 of that table; and

(b) make and retain the records specified in column 4 of table 6.9 that correspond to the provision specified in column 2 of that table.

Table 6.9

Item	Regulation	Action	Records
1	13.45	Verify that equipment, materials, and chemicals are available	Records of— (a) the nature of the equipment, materials, and chemicals; and (b) where they are located

Made at Wellington on 1 December 2021.

Phil Parkes
Chief Executive
WorkSafe New Zealand

This performance standard is administered by WorkSafe New Zealand.