

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

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), I, Nicole Rosie, Chief Executive at WorkSafe New Zealand, exempt **Genesis Energy Limited** from compliance with regulation 16.31 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 for two LPG tank wagons to have a design compliance certificate.

I do so –

- being satisfied that:
 - a. the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to it; and
 - b. the exemption is not inconsistent with the purpose of the Act; and
 - c. the pre-commissioning inspection under regulation 16.34(4)(a) enables the two LPG tank wagon semi-trailers to be issued a tank wagon record number (TAN).
- subject to the conditions listed in Appendix 1.

This exemption takes effect on **14 June 2019** and expires on **14 June 2024** unless it is replaced sooner or revoked.

Signed at Wellington this ¹³ day of June 2019.



Nicole Rosie
Chief Executive
WorkSafe New Zealand

Appendix 1

Exemption Conditions

The application to grant an exemption has been decided as follows:

The exemption is granted to Genesis Energy Limited by WorkSafe in accordance with section 220 of the Health and Safety at Work Act 2015 to accept:

1. the following two LPG tank wagon semi-trailers being allocated a tank wagon record number without a tank wagon design compliance certificate:
MOT 94407
MOT 119162

The exemption is subject to the following conditions:

1. Genesis Energy Ltd must operate and maintain each tank wagon with in accordance with Part 16 the Health and Safety at Work (Hazardous Substances) Regulations 2017.
2. Prior to bringing these tank wagons back into service, Genesis Energy must ensure that each tank wagon:
 - a. is fitted with a backup means for shutting off the delivery pump;
 - b. has each tanker plate marked with the maximum fill level for that tank wagon;
 - c. has the strength of the chassis attachment ascertained. If the strength of the chassis attachment is less than 80% of that specified in Schedule 23, the attachment must be strengthened to 100% of that specified in Schedule 23;
 - d. is fitted with drive-away protection that ensures the tank wagon cannot be moved while discharge hoses are connected.
3. Genesis Energy Ltd must fix the issued record number (TAN) to the respective tank wagons in a manner that will ensure it will remain legible for the life of the tank wagon.