

# HSNO and hazardous substances



## Why did we need new rules to help us manage hazardous substances?

In New Zealand – and around the world – there have been numerous occasions when we could, and should, have managed hazardous substances better, to protect people, communities and the environment. The ICI Fire, emissions from the Ivon Watkins plant, and the Parnell fumes emergency are but a few examples. The recent situation in New Orleans, in which a toxic mixture of products escaped during a foreseeable natural disaster, brings the purpose and principals of the HSNO Act sharply into focus.

## What is the HSNO Act?

The Hazardous Substances and New Organisms Act 1996 is environmental and health and safety legislation designed to manage the risks of introducing and using hazardous substances in business and at home, and the risks of introducing new organisms – including genetically modified organisms – into the country.

## What is its purpose?

The act aims to protect the environment, and the health and safety of both individuals and communities, by preventing or managing the risks and adverse effects associated with hazardous substances and new organisms.

## Who are the major players?

The Ministry for the Environment is responsible for developing policies and making regulations under the Act, and for overseeing the activities of ERMA. The Environmental Risk Management

Authority (ERMA) is an independent body established under the HSNO Act. Its role is to assess the environmental and health risks posed by hazardous substances and new organisms, and to place controls to make sure these are properly managed.

## So what is a 'substance'?

A substance is literally any material imported or manufactured for use in New Zealand. Manufacturing includes processes like mining, chemical processing and formulation. Substances include industrial chemicals, building materials, plastics, food additives, fuels, explosives, paints, cleaners, and a host of other things. A substance can be in the form of a gas, liquid, or solid.

## And a 'hazardous substance'?

A hazardous substance is one that can harm people or the environment. For example, substances like dishwashing detergents, bleaches and petrol are an essential part of daily life, but can be dangerous or poisonous. Under the act, a hazardous substance is any substance that is:

- Explosive
- Flammable
- Able to oxidise (accelerate a fire)
- Toxic to humans (in acute or

chronic exposure)

- Corrosive (to human tissue or metal)
- Ecotoxic (toxic to the environment), and also
- Any substance which, on contact with air or water, is able to develop one or more of the above properties.

## How does the act affect me and my workplace?

The HSNO Act is likely to affect you if you use any hazardous substances in your business, or if you import, store, transport or manufacture them to sell to others. It may even affect you at home, if, for instance, you have an LPG installation and keep more than 100 kg of LPG on site. Anyone who has anything to do with hazardous substances must know how to use, store and dispose of them safely.

## What is an adverse effect?

It is a consequence of the incorrect management of a hazardous substance, and can include fire, fumes, personal contact, inhalation or ingestion, or spillage of the substance. These consequences can cause harm, including burns, asthma, cancer and other health problems in people, or damage to the environment.

## How do I know what the hazards and effects are?

All hazardous substances should come with a Safety Data Sheet (commonly known as an SDS, or previously called an MSDS). If this information sheet is missing, ask the product supplier to give you one before you use the substance. Hazardous substance containers should also be labelled to show how the contents can be used safely.

Anyone using substances in the workplace should conduct an assessment to gain adequate information about the correct use of all substances, and the possible health and safety effects on those using them. This assessment process should include:

- An identification of all substances in the workplace that are hazardous to health;
- A review of your SDS, labels, and any other information, about the health hazards they pose;
- A determination of the degree of exposure;
- An assessment of the risk to health; and
- A review of the assessment.

## How do we manage the effects?

Essentially the hazardous classification of the substance is linked to a series of controls.

### LINKS

### Want to know more?

- An easy-to-follow beginner's guide to the HSNO legislation can be found at [www.hsno.govt.nz](http://www.hsno.govt.nz)
- There is also a wealth of information on the ERMA website at [www.ermanz.govt.nz](http://www.ermanz.govt.nz)
- At this site a good starting place may be the Step by Step Guide to Finding Controls and Other Useful Links at [www.ermanz.govt.nz/resources](http://www.ermanz.govt.nz/resources) - click on Hazardous Substances Publications link at left and scroll down to Information Sheets and Other Publications.
- *HVNO idea about HSNO?*, a one-day seminar covering the basics of HSNO compliance, will be held at the Heritage Hotel, Auckland on Tuesday October 11. More information at [www.brookers.co.nz](http://www.brookers.co.nz) or phone Annette Vao on 09 360 3712.

The controls that ERMA places on a hazardous substance cover its whole life cycle, from the time it is manufactured or imported, to the time it is disposed of. For example, a new pesticide, to be available from garden centres, might be required to come in child-resistant containers, and users might be instructed to wear protective gloves when handling it. It might also have to carry a label warning that it is poisonous, or telling users how to safely dispose of leftovers.

If you deal with large quantities of more dangerous substances – such as explosives, or substances that are highly poisonous – you might need special

training on how to manage them safely, and be required to obtain approved handler certification to verify that you have this training and knowledge.

A number of control regulations are in place, or proposed, including ones for packaging, bulk containers, identification, disposal, emergency management, tracking and competency of personnel.

### What if the product is not already in use here?

If you want to manufacture or import any hazardous substance that is not already in use in New

Zealand, you must apply to ERMA for approval beforehand.

### How is the act enforced?

The hazardous substances part of the HSNO Act is enforced by a number of central and local government agencies, most of whom were involved in enforcing the previous laws. These agencies monitor compliance with both the act and the controls set by

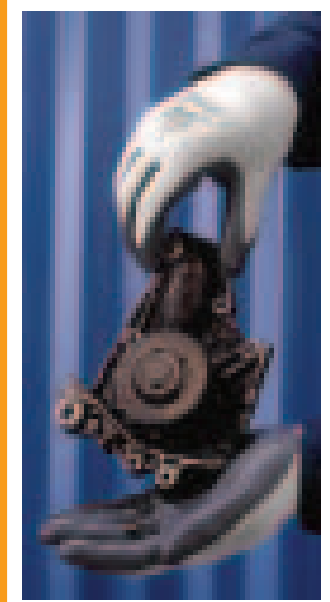
ERMA, and carry out compliance checks. They can issue compliance orders and infringement notices, and prosecute offenders if an order is not complied with. The enforcement agencies, which include the Department of Labour and local authorities, can also advise you on how to comply with the act. ■

**NEXT TIME:**  
HSNO – Approved handlers and test certification.

This article is intended to provide only a broad overview of its topic. Our thanks to Simonne Moses and Patrick Seaman of Impac Solutions.

## Zorb-IT SAFETY GLOVES

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