

# DGCG

## Dangerous Goods Compliance Limited

Dangerous Goods  
Compliance Limited

Newsletter Issue 1  
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Greetings for the last quarter of 2013 which has by all accounts whizzed by as we all look to finish the year ready for a fresh start into 2014.

The last quarter has seen a number of changes for both the Hazardous Substances environment we all operate in, and our own team as we align ourselves with these changes.

Most of you will be taking a well-deserved break over the festive season, including ourselves. We will be back on board from the 13<sup>th</sup> January, however, in saying this if you have a workplace incident or concern that needs our advice or attention please do not hesitate to contact us, as we will be on call.

## Did you know...

### WorkSafe NZ

As of 16 December 2013 **WorkSafe New Zealand** is the new government entity responsible for Health and Safety previously enforced and administered by the Ministry of Business Innovation and Employment (MBIE), and before that Department of Labour and OSH.

WorkSafe NZ has been established in part as a result of last April's Pike River inquiry recommendations.

The difficulty in prosecuting CEO Peter Whittall has seen good deal of media attention, and in some respects the formation of a new government entity may now change the playing field when it comes to accountability.

With its new structure WorkSafe NZ believe the difficulties experienced under the previous

legislative framework as it starts with a clean slate towards reform will be a thing of the past. Something the authorities, industry and the general public will probably expect as they look to establish credibility going forward.

### So what does this mean for all of us?

Feedback from our clients tells us additional Enforcement Officers are out and about already. In addition to Compliance Orders, there's also been talk about the ability of Enforcement Officers to issue instant fines, which at this stage has yet to be tested. We're unsure of the amount, however, if you are approached from a WorkSafe NZ representative please do not hesitate to contact us if you have any concerns.

### Electrical Certificate of Compliance (ECOC)

All ignition sources including electrical fittings or cabling within a Hazardous Area Atmosphere Zone (where the flammable vapour is likely to be) require certification from an Electrical Inspector. For many of you this will mean that your mixing room, spray booth or dangerous goods stores that have extraction, light fittings or alarms fitted may require some remedial work to ensure full compliance.

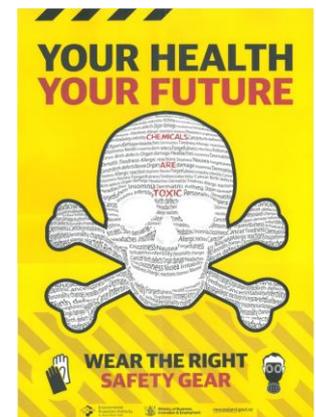
We understand that going forward the inspection regime surrounding your areas requiring an ECOC will be more robust than in the past as Registered Electrical Inspectors now

look to align inspections with the latest safety standards.

### What does this mean for you?

There may be additional safety features that were not previously required or minor changes to existing facilities to satisfy the extra requirements.

If your current ECOC is due we recommend you contact your Electrical Inspector provider to discuss, otherwise contact us and we can point you in the right direction.



The Board receives numerous queries regarding the mandatory Electrical Certificate of Compliance, ("Certificate" in terms of the Occupational Health and Safety Act (No 85 of 1993), from both retail agents and consumers.

The importance of obtaining a valid Certificate cannot be over emphasized.

Based on the queries the Board receives, we have listed some of the more frequently asked questions together with answers.

We would like to thank the Electrical Contractors Association for the much valued assistance in the completion of this report.

**Who must obtain the Certificate of Compliance?**  
In terms of the Occupational Health and Safety Act nobody may sell, market, supply any electrical machinery that is unsafe for use. Please note that an electrical installation is defined in the Act as Electrical Machinery.

Additionally, if a safety standard has been prescribed for any machinery (SANS 10142-1 in the case of electrical installations), no person may sell such machinery (i.e. a premises with an electrical installation) unless it complies with the applicable standard (pending of the time that the installation design was finalized). The Certificate is proof of this compliance.

The seller is therefore liable to obtain a Certificate, unless there is an agreement in writing which transfers the responsibility of obtaining the certificate to the Buyer (Section 10(4) of the Act). This would often be preferable as the Buyer has more of a vested interest in having a safe and compliant installation.

The party undertaking to obtain the Certificate shall be liable to pay the costs thereof.

## HSNO Test Certificate Renewal Letters

Currently the Environmental Protection Authority (EPA) notifies you two months prior to the expiry of your certificate. For audit and registration reasons we normally visit your site about three weeks prior to the expiry of your site.

Kathy will contact you regarding a suggested date for your renewal visit to your site, however, if you do have a date preference (due to staffing or absenteeism) we will also look to work within with your time frames.



## Waste Oil

The EPA have recently approved the much anticipated Code of Practice for used oil.

This was issued in November 2013 (HSNOCOP 63) and contains requirements for secondary containment (bundling) and emergency management amongst other controls.

Stationary Container Certificates (SCS) are now required for above ground tanks of 5,000 litres or more, containers of 60 litres if connected to a burner, or 250 litres if below ground.

Secondary containment is now triggered at 1,000 litres including the requirement for an emergency management response plan, signage, fire extinguisher and MSDS sheets. In effect Used Oil now requires a level three control, much the same as other Hazardous Substances.

This Code of Practice is new. If you do have concerns or questions about your waste oil holdings just give us a call.



## New Staff for DGC

The past year has been very busy as the playing field slowly shifts into a more legislative culture and as a consequence we've added a new staff member to the DGC team. Some of you may have already met Steve McLellan, either on site for a Test Location Certificate or when you have attended an Approved Handler course.

Steve comes to DGC with a background in business management with 22 years in the finance industry, and the last 11 years with the New Zealand Automobile Association, as their Northern Regional Manager.

Other than managing the Northern region's over-all business performance, Steve's last role also included responsibilities around

the audit and inspection of the AA's operations. This included health and safety, training and the compliance of all insurance related processes, particularly motor vehicle insurance.

Steve also acted as the AA's Auckland District Manager dealing with road and transport issues which involved liaison with both local and central government on behalf of AA Members. As a consequence Steve has a good deal of experience in the legislative mechanism that influences the way industry and government relate towards achieving outcomes.



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