

**Ministry for the
Environment**

**Hazardous substances
assessments: Improving
decision making**

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For more information please contact:
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Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Ministry for the Environment's Hazardous substances assessments: Improving decision making.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH.

Specific Comments

4. NMH supports this proposal's intention to improve New Zealand's chemical management system so as to better protect people and the environment.

Proposal 1: Making better use of international information

5. NMH agrees that the Ministry should make better use of international information during assessments and reassessments of hazard substances. This aligns with international best practice as identified in the Regulatory Impact Statement¹.
6. It is imperative that the New Zealand context is always considered as New Zealand's flora and fauna are unlike anywhere else in the world and it is important that they are protected. It is also important that Te Tiriti o Waitangi is taken into account in order to provide for the customary interests and rights of Māori.
7. Option 2B would enable the Ministry to apply risk assessments from trusted regulators and consider relevance to New Zealand and the requirements of the HSNO Act. NMH considers this option as the most appropriate because it uses a New Zealand lens. NMH does not consider Option 2C of applying international decisions as acceptable because, as noted in the consultation document, these decisions can be influenced by political or commercial bias, and local context of the international decision making therefore may not be appropriate in New Zealand's context.

¹ <https://www.mfe.govt.nz/sites/default/files/media/Hazards/RIA-HSNO%20Reassessment%20Bill.pdf>

Proposal 2: Immediate suspension based on trusted information

8. The current system does not enable the Ministry to immediately react to risks to human health and the environment. Option 2 provides the Ministry with suspension power which provides better protection than status quo.

Proposal 3: Using a trusted regulator's decision to change a hazard classification

9. The current system does not enable the Ministry to apply a trusted regulator's decision to change a hazard classification. The current system only enables New Zealand to change the classification using a modified reassessment process which can be time consuming and potentially could have costs to human health and the environment. Option 2 would allow the Ministry to change hazard classifications faster and therefore could better protect the environment and people's health.

Proposal 4: Better consultation process to collect quality information

10. NMH agrees with the Option 2 proposal which would enable the Ministry to call for information before the application is lodged and allows the Ministry to revoke approval based on the lack of information for new applications and reassessments. This would incentivise applicants to provide information in a timely manner so that Ministry can make informed decisions.

Proposal 5: Amending modified reassessments for a more targeted consultation

11. NMH supports Option 2 which allows more targeted consultation as this will enable a faster reassessment process which results in a better health outcomes.

Proposal 7: Avoiding duplication when assessing new and existing substances

12. NMH supports giving a statutory status to a Priority Chemicals List as this could have increased benefits for human health with more consistency in controls.

Proposal 8: Updating controls of existing substances

13. NMH agrees that controls on existing substances should be updated quickly to align with more recent assessments. NMH supports Option 2.

Conclusion

14. NMH thanks the Ministry for the Environment for the opportunity to comment on the Hazardous substances assessments: Improving decision making.

15. NMH **does not wish to be heard** in support of its submission.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Peter Bramley', with a long horizontal flourish extending to the right.

Peter Bramley
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