

HAZARDOUS SUBSTANCES USE, SYNTHESIS, PURCHASE, AND IMPORTATION PROCEDURES

Section	Health and Safety
Contact	Director Health, Safety and Wellbeing
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Purpose:

To provide for safe and responsible use of hazardous substances at Massey University in a way that protects the environment, and the health and safety of people and communities.

Procedure:

Where hazardous substances are used, synthesized, purchased, imported, or disposed of for small scale teaching and research, the hazardous substances and laboratory will be managed to satisfy all applicable legislative requirements. All laboratories involved in small scale research, synthesis, development, and teaching shall meet the requirements of Part 18 of the Health and Safety (Hazardous Substances) Regulations 2017 (*the regulations*) and all other applicable parts of the *regulations* were directed and/or by any future Safe Work Instrument. Hazardous substance disposal shall meet the requirements of the Hazardous Substances (Disposal) Notice 2017.

The above provisions satisfy the requirements of the Hazardous Substances and New Organisms Act (HSNO Act) relating to the requirement for Environmental Protection Authority (EPA) approval (section 33).

The above does not apply if:

1. The hazardous substance or any substance created from the exempt use of the hazardous substance is sold as a substance or in a product containing or derived from that substance.
2. The use creates or involves a hazardous substance for which any application for approval has been declined for approval by the Environmental Protection Authority (EPA).
3. The hazardous substance is being evaluated in field trials. Field trials are research in containment and are subject to section 31 of the HSNO Act.

Hazardous substances use which fits any of the conditions of four scenarios above requires EPA approval using appropriate approval methodology.

Where approved hazardous substances are manufactured, imported, used, or sold and are not covered by the small-scale teaching and research provisions, then those substances shall be subject to the Hazardous Substances and New Organisms Act (HSNO Act) and the Health and Safety at Work (Hazardous Substances) Regulations 2017. The appointed laboratory manager that controls the hazardous substances shall ensure the substances are appropriately risk assessed, handled by trained persons, and, disposed of appropriately.

The university advisor, hazardous substances, will coordinate the annual Location Compliance Certificate for the relevant region. The Health and Safety Office will arrange training for certified handlers.

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All hazardous substances covered by this procedure are to be recorded in the chemical inventory system as directed by the university advisor and shall contain all information required by the legislation. If an owner is not assigned for substances used in a laboratory, the laboratory manager will be deemed to be the owner.

The above procedure does not include the use of radioactive materials which is regulated by the Radiation Protection Act and its associated Regulations. Use of such materials (above exempt quantities) must be undertaken by a holder of a license issued by the National Radiation Laboratory (NRL) or under instruction or supervision of that license holder. Use of radioactive materials is subject to separate Massey University policy statement.

Definitions:

Certified handler - means a person who has a test certificate that certifies that the person meets the competency requirements for certified handlers specified in the Health and Safety at Work (Hazardous Substances) Regulations 2017.

Hazardous Substance - means, unless expressly provided otherwise by regulations, is any substance - with one or more of the following intrinsic properties:

- a) Explosiveness
- b) Flammability
- c) A capacity to oxidize
- d) Corrosiveness
- e) Toxicity (including chronic toxicity)
- f) Ecotoxicity, with or without bioaccumulation; or which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (1) of this definition.

Please note, guidance on what constitutes a Hazardous Substances for each hazardous property can be obtained from the Environmental Protection Authority. There is a level below which a substance is not considered hazardous in New Zealand.

Laboratory - means a vehicle, room, building, or any other structure set aside and equipped for scientific experiments or research, for teaching science or technology, or for the development of chemical or medicinal products.

Location Compliance Certificate - means that an area meets the safety requirements as specified in the appropriate part of the Health and Safety at Work (Hazardous substances) Regulations 2017. A location compliance certificate is required above generic quantities specified in the regulations. However, the quantities can be varied by substance as identified in gazette notices.

Safe Method of Use - a method detailing storage, precautions, disposal and emergency response for a hazardous substance or group of hazardous substances.

Substance – means:

- a) Any element, defined mixture of elements, compounds, or defined mixture of compounds, either naturally occurring or produced synthetically, or any mixtures thereof.
- b) Any isotope, allotrope, isomer, congener, radical, or ion of an element or compound which has been declared by the Authority, by notice in the Gazette, to be a different substance from that element or compound.
- c) Any mixtures or combinations of any of the above.
- d) Any manufactured article containing, incorporating, or including any Hazardous Substance with explosive properties.

Audience:

Managers, and all staff, undergraduate and post-graduate students.

Relevant legislation:

Health and Safety at Work (Hazardous Substances) Regulations 2017
Hazardous Substances (Disposal) Notice 2017
Hazardous Substances (Minimum Degree of Hazard) Regulations 2001
Hazardous Substances and New Organisms Act 1996.
Health and Safety at Work Act 2015
Health and Safety at Work (General Risk and Workplace Management) Regulations 2016

Related Procedures:

Radiation Manual
New Organisms and Restricted Biological Products Procedure
Genetic Modified Organisms Procedure
Guidance on what constitutes a Hazardous Substances for each hazardous property can be obtained from the Environmental Protection Authority.

Document Management Control:

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