



**BAY OF PLENTY  
REGIONAL COUNCIL  
TOI MOANA**

## Submission Form

Send your submission to reach us by **4.00 pm on Wednesday, 18 April 2018**

Submission Number  
*Office use only*

046

<b>Post:</b> The Chief Executive Bay of Plenty Regional Council PO Box 364 Whakatāne 3158	<b>or Fax:</b> 0800 884 882	<b>or email:</b> <a href="mailto:air@boprc.govt.nz">air@boprc.govt.nz</a>
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**Submitter Name:** Helen Gear on behalf of Draslovka a.s. formerly Lucebni zavody Draslovka a.s.

This is a submission on **Proposed Plan Change 13 (Air Quality) to the Regional Natural Resources Plan**

~~I could/would not~~ gain an advantage in trade competition through this submission.

- (a) I ~~am/am~~ not directly affected by an effect of the subject matter of the submission that adversely affects the environment; and
- (b) My submission ~~does/does not~~ relate to trade competition or the effects of trade competition.
- 2 The details of my submission are in the attached table.
- 3 I wish/~~do not~~ wish to be heard in support of my submission.
- 4 If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Draslovka lodged an application for registration of the fumigant ethanedinitrile (EDN) with the EPA in July 2017. EDN is an environmentally sustainable replacement for methyl bromide. Draslovka is interested in air quality regulation changes and how these could in turn influence the use of EDN. Draslovka is a family owned business in the Czech Republic that prides itself on its high environmental standards in all of its businesses and being open and transparent in all of its dealings with authorities and local communities.

18/4/2018

*[Signature of person making submission or person authorised to sign on behalf of person making submission.]*  
*[NOTE: A signature is not required if you make your submission by electronic means.]*

Date

**Address for Service of Submitter:** c/o Laurus Consultants Ltd, 53a Coroglen Rise Pukerua Bay

<b>Telephone:</b>	Daytime: 0274 868 131	After Hours: 0274 868 131
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**CONTACT PERSON:** Helen Gear on behalf of Draslovka

**SUBMISSION POINTS - Comments**

<b>Page No</b>	<b>Reference</b>	<b>Support/Oppose</b>	<b>Decision Sought</b>	<b>Reason(s) / notes</b>
P147			Where methyl bromide recapture technology is used the BoPRC deems it to be a controlled, non-notified activity.	On the basis of the recommendation to council by OPUS (2015) requiring resource consents for methyl bromide (as required by current plan), except where recapture technology. In which case is should be a controlled, non-notified activity.
P147			Recapture / destruction requirements by the BoPRC are taken from the EPA's decision allowing a fumigants use in new Zealand. Such requirements are determined by the EPA after their review of the science submitted to support the use of the chemical as a fumigant.  Internationally the EPA is highly regarded for its transparent and robust process in considering new chemicals and their formulation of controls which can protect the public, workers and the environment.	The scientific and technical expertise to analyse relevant data, identify risks and determine appropriate mitigations sits within the EPA. Draslovka anticipates that the EPA will not require the use of recapture technologies with EDN fumigations as the science indicates there are no significant quantities of EDN remaining at the end of fumigation.

**SUBMISSION POINTS**

<b>Page No</b>	<b>Reference</b>	<b>Support/Oppose</b>	<b>Decision Sought</b>	<b>Reason(s) / notes</b>
P149	7.8.3 Options 3	Qualified Support	<p>That fumigation management is based on</p> <ol style="list-style-type: none"> <li>1. General rules within the proposed plan,</li> <li>2. Regional Policy Statement</li> <li>3. Draws on appropriate provisions of the RMA and HSNO Act that regional councils are bound to</li> <li>4. Acknowledging the expertise residing in the Environmental Protection Authority (EPA) and require their decisions and controls be used to undertake fumigant use in the Region. That is not choosing to require and greater unwarranted 'protections'.</li> </ol>	<p>Draslovka supports a situation similar to Option 3 which recognises the expertise of the EPA and its designated role in protecting the New Zealand(ers) The EPA's role is to protect the environment and the public while carefully balancing social, economic and safety to ensure evidence based decisions to provide an environment that we want now, and in the future.</p> <p>It is noted that EPA assessments of new (or reassessment of existing) fumigants include a public submission phase. This allows the EPA's risk determination (based on robust assessment of the science) and opinions of industry and community groups to be accommodated in the EPA's final decision/controls.</p>

