



**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*

064

<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> air@boprc.govt.nz
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**Submitter Name: TPT Forests Limited**

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

I **could not** gain an advantage in trade competition through this submission.

*[Delete as required.]*

(a) I **am not** directly affected by an effect of the subject matter of the submission that adversely affects the environment; and  
 (b) My submission **does not** relate to trade competition or the effects of trade competition.

*[Delete the entire paragraph if you could not gain an advantage in trade competition through this submission.]*

- 2 The details of my submission are in the attached table.
- 3 I wish/ to be heard in support of my submission. *[Delete as required]*
- 4 If others make a similar submission, I will consider presenting a joint case with them at a hearing. *[Delete if you would not consider presenting a joint case.]*

18/04/18

*[Signature of person making submission or person authorised to sign on behalf of person making submission.]*

*Date [NOTE: A signature is not required if you make your submission by electronic means.]*

**Address for Service of Submitter:** PO Box 135 Seventh Avenue, Tauranga, 3140

**Telephone:**

**Daytime:** 07 9284250

**After Hours:**

**Email:**

**Fax:**

1. I make this submission on behalf of TPT Forests Limited a log exporter based in Tauranga.
  - TPT Forests exports annually approximately 2.2 million JAS of export logs from Port of Tauranga to the export log markets of China, India, Korea and Japan.
  - TPT manage the export operations, shipping and sales on behalf of 6 different clients (Forest Owners and Managers) across the Bay of Plenty.
2. Forestry makes a significant contribution to the Bay of Plenty economy through both domestic processing and export activities. The log supply from our clients is greater than the local millers and processor needs. Consequently, the grades of log that are not used locally are exported. Export requires the use of phytosanitary treatments including fumigation. Without the ability to export logs the impacts would flow down to our local communities and have significant effects on the region's economy.
3. TPT notes that the EPA is the agency mandated to manage fumigants such as methyl bromide and its alternatives. The EPA has the capacity and expertise to identify and assess risk and to develop appropriate controls to manage the risk associate with substances. The EPA is required to take into account effects on social, economic, safety, and environmental factors.

**SUBMISSION POINTS**

Page No.	Reference	Support/Oppose	Decision Sought	Reason(s) / notes
<p><b>Part 7.8 Topic 5 – pg 141 - 162</b></p>			<p>We ask that where methyl bromide recapture technology is used as required by the EPA the BOPRC accepts that the use of methyl bromide is a controlled, non-notified activity.</p>	<p>We understand that OPUS recommended to Council in 2015 “... to require resource consents for methyl bromide (as required by current plan) except where recapture technology is used where it would be a controlled, non-notified activity”.</p>
			<p>We believe that recapture / destruction requirements for fumigants should be determined solely by the EPA. Where the EPA considers that recapture / destruction technologies are not required or required with specifications/controls the BOPRC will not impose additional rules and controls requiring the use of recapture technologies.</p>	<p>The EPA is mandated to consider the impacts of hazardous substances and to make informed decisions regarding the controls needed to manage risk. The agency applies the precautionary principle to all that it does. The imposition of further rules if they are to be made must be able to be supported with robust science.</p>
			<p>The monitoring results for methyl bromide emissions during fumigation and venting are consistently below the thresholds determined by the EPA. We ask that the data is used to inform decisions regarding the buffer distances required by BOPRC. In doing so we note that the distances should be no greater than the buffers set by the EPA.</p>	<p>Genera, regularly reports the results of its methyl bromide monitoring program to BOPRC. Log exporters are also briefed regularly. We note that the TEL are lower than the EPA determined thresholds.</p>

## SUBMISSION POINTS

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	7.8.3 Options 3	Qualified Support	<p>We seek the adoption of an option, to manage fumigation that 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. Draw where appropriate on those provisions of the RMA and HSN0 Act that regional councils are bound to while</li> <li>4. Respecting the expertise and decisions of the Environmental Protection Authority and not imposing greater unwarranted 'protections'.</li> </ol>	<p>Our preferred option recognises the expertise of the EPA and the mandate that it has to protect the environment while carefully balancing social, economic, safety, and environmental factors to ensure evidence based decisions. We note Option 3 acknowledges the expertise of the EPA. The agency has the mandate to protect the environment and to consider social, economic, safety, and environmental factors to make balanced evidence based decisions for New Zealand.</p> <p>The EPA processes require a public submission stage when hazardous substances are assessed. This democratic process provides for scrutiny of the EPA's assessment, risk evaluation (through the application of robust science assessment) for the views of sector and the community to be heard prior to the EPA making its final decision and setting controls.</p>
	Option 3		As above.	<p>We note the use of the words '<i>less stringent</i>' with regard to Option 3. The provisions of the proposed option 3 are not '<i>less stringent</i>' they are fit for purpose positioning the Air plan where it should be in relation to the legislation and regularly implements.</p>