

Hazardous Substances (Antifouling Paints Containing Diuron, Octhilinone or Ziram Direction Prohibiting Use and Controlling Storage and Disposal) Notice 2023

Pursuant to section 66 of the Hazardous Substances and New Organisms Act 1996 (“Act”), the Environmental Protection Authority issues the following notice.

Notice

1. Title

This notice is the Hazardous Substances (Antifouling Paints Containing Diuron, Octhilinone or Ziram Direction Prohibiting Use and Controlling Storage and Disposal) Notice 2023.

2. Commencement

This notice comes into force on **1 August 2023**.

3. Interpretation

1. In this notice, words and phrases have the meanings given to them in the Act and in Regulations made under the Act.
2. In this notice, the following words have the following meanings:

Antifouling paint containing diuron means any of the following substances:

Antifouling paint containing 20g/litre diuron (Part A) approved under the Act until 1 July 2017 with approval number HSR000934;

Antifouling paint containing 450 - 849g/litre cuprous oxide and 40 - 70g/litre diuron approved under the Act until 1 July 2017 with approval number HSR000924;

Antifouling paint containing 450 - 849g/litre cuprous oxide and 40 - 70g/litre diuron (aspiration hazard) (Substance A) approved under the Act until 1 July 2017 with approval number HSR100852;

Antifouling paint containing 450 - 849g/litre cuprous oxide and 40 - 70g/litre diuron (aspiration hazard) (Substance B) approved under the Act until 1 July 2017 with approval number HSR100853.

Antifouling paint containing 580g/litre cuprous oxide, 65g/litre diuron and 320g/litre zinc oxide approved under the Act until 1 July 2017 with approval number HSR000925.

Antifouling paint containing 760g/litre cuprous oxide, 62g/litre diuron and 165g/litre zinc oxide approved under the Act until 1 July 2017 with approval number HSR000926;

Alloy Antifouling Range approved under the Act until 1 July 2017 with approval number HSR000038;

Antifouling paint containing 230g/litre copper thiocyanate and 40g/litre diuron approved under the Act until 1 July 2017 with approval number HSR000916;

Antifouling paint containing octhilinone means any of the following substances:

Reduced Copper Antifouling Range (Range D) approved under the Act until 1 July 2017 with approval number HSR007955;

Hard B Antifouling Range approved under the Act until 1 July 2017 with approval number HSR000040;

Antifouling paint containing ziram means the following substance:

ABC #3 Antifouling approved under the Act until 1 July 2017 with approval number HSR007897;

4. Prohibition on Use

No person may use an antifouling paint containing diuron after 1 August 2023

No person may use an antifouling paint containing octhilinone after 1 August 2023

No person may use an antifouling paint containing ziram after 1 August 2023

5. Controls on Antifouling Paints Containing Diuron Until 1 August 2023

For avoidance of doubt, the controls set out for the approvals for the antifouling paints containing diuron remain in effect until 1 August 2023.

6. Controls on Antifouling Paints Containing Octhilinone Until 1 August 2023

For avoidance of doubt, the controls set out for the approvals for the antifouling paints containing octhilinone remain in effect until 1 August 2023.

7. Controls on Antifouling Paints Containing Ziram Until 1 August 2023

For avoidance of doubt, the controls set out for the approvals for the antifouling paints containing ziram remain in

effect until 1 August 2023.

8. Controls on Disposal of Antifouling Paints Containing Diuron

1. All antifouling paints containing diuron must be disposed of by 1 August 2023.
2. Antifouling paints containing diuron must be disposed of in accordance with the controls set out for the approvals for the antifouling paints containing diuron.
3. When stored for the purpose of disposal, antifouling paints containing diuron must not be mixed with any other substances.

9. Controls on Disposal of Antifouling Paints Containing Othilinone

1. All antifouling paints containing othilinone must be disposed of by 1 August 2023.
2. Antifouling paints containing diuron must be disposed of in accordance with the controls set out for the approvals for the antifouling paints containing othilinone.
3. When stored for the purpose of disposal, antifouling paints containing othilinone must not be mixed with any other substances.

10. Controls on Disposal of Substances Containing Ziram

1. All antifouling paints containing ziram must be disposed of by 1 August 2023.
2. Antifouling paints containing ziram must be disposed of in accordance with the controls set out for the approvals for the antifouling paints containing ziram.
3. When stored for the purpose of disposal, antifouling paints containing ziram must not be mixed with any other substances.

Dated at Wellington this 15th day of June 2023.

DR ALLAN L. FREETH, for and on behalf of the Environmental Protection Authority.