

**Chapter 7:
Implementing and
Administering the HFSP**

7 Implementing and Administering the HFSP

Key Points

- The Hazardous Facilities Screening Procedure (HFSP) is sometimes perceived as complex, particularly by smaller TAs and TAs with limited industrial activity. It is therefore necessary to facilitate implementation of the HFSP with appropriate tools.
- Hazardous substances are used in a wide range of activities outside of industrial zones (e.g. the storage of pesticides in rural zones or the use of hazardous substances by home enterprises). The HFSP is therefore useful to rural TAs as well, and may be applied to all land use zones in a district.
- For those TAs that plan to adopt the HFSP, it is important to develop an implementation strategy to ensure the smooth introduction and long-term administration of the procedure.
- This section discusses a range of concerns and possible solutions, and the importance of monitoring the implementation of the HFSP.

7.1 Issues

The HFSP is sometimes perceived as complex, particularly by small TAs and those with limited industrial activity in their district. However, it is the subject of hazardous substance management which is technical and complex rather than the Screening Procedure. The HFSP is a practical and effective tool to assist in the management process, especially once the HSNO Regulations are fully in force and other control mechanisms such as Dangerous Goods Licences are no longer in use. Overall, there is widespread recognition that hazardous substances and wastes present significant environmental risks that need to be managed throughout New Zealand better than in the past to protect human health, the natural environment and infrastructures.

The need for increased controls for hazardous substances has been reflected in key pieces of legislation such as the HSE Act and the HSNO Act (refer Section 2). The HFSP complements, but does not duplicate, these controls and ensures that appropriate site-specific controls are put into place for hazardous facilities.

Overall, increasingly stringent legislation requires practitioners in industry and councils to improve their technical knowledge and understanding of hazardous substances. For councils, technical know-how of hazardous substances and wastes is not limited to the urban districts, as rural land uses often involve significant quantities of very hazardous materials, such as pesticides.

7.2 Implementation and administration strategy

For those TAs that plan to adopt the HFSP, it is important to develop a strategy that goes beyond the incorporation of the HFSP into the district plan. Potential concerns and problem areas must be identified at an early stage to enable the development of proactive solutions and processes. This will ensure smooth implementation and long term administration of the HFSP.

Issues that need to be addressed include:

- TA staff structure and consent application process
- training requirements
- public information requirements
- electronic support
- external support and networking.

7.2.1 Council staff structure and consent application process

Different council staff will, to varying degrees, be involved in the implementation and administration of the HFSP. This includes counter staff, regulatory planners and also dangerous goods/hazardous substance officers.

It is of benefit to allocate responsibilities for the HFSP at an early stage, preferably with the help of a flow chart outlining the consent application process for hazardous facilities from receipt of inquiry, to deciding on the resource consent status of the proposal and beyond.

TAs which implement the HFSP usually involve two or three key staff members in the day-to-day administration of the HFSP, including dangerous goods/hazardous substance officers. These keep in ongoing contact with counter staff to make sure that applications which involve hazardous substances are picked up at the point of inquiry.

Normally, they also carry out quick HFSP calculations to determine whether a proposed hazardous facility requires a consent and pass relevant information on to regulatory planners. This applies in particular to small and medium-scale facilities. They usually remain involved in the ongoing processing of any resource consent applications, review of any information and development of consent conditions.

An HFSP implementation strategy which is solely based on in-house support may not be appropriate for some councils. This applies especially to small councils or those councils with no or limited technical expertise on staff.

In these instances, it may be worthwhile exploring outsourcing opportunities, where external contractors or consultants enter into an agreement with a TA to provide assistance with an implementation strategy for the HFSP training, screening resource consent applications for hazardous facilities and processing resource consent applications.

7.2.2 Training requirements

The nature and extent of the HFSP training programme depends on the structure and size of a council and how tasks such as consent application processing are allocated. The programme may need to be targeted at counter staff, technical staff and regulatory planners as well as managers – and on occasions, councillors. As a result, training needs can vary significantly from one council to the next and may range from a two-hour introductory session to a full day involving practical case studies.

7.2.3 Public information requirements

Once council staff are fully aware of and trained in the use of the HFSP, it is necessary to give out information to the public. Such information can be in the form of a tri-fold or an A4 sheet explaining, in simple terms, the controls for hazardous substances, how the council deals with applications for hazardous facilities and what the information requirements are.

Industry planning guides are a very useful way of helping the public with resource applications, particularly small to medium-scale hazardous facilities that are common in the district. They are based on hazardous substances surveys of small industries typically present in a district, for example panel beaters or dry cleaners. Survey data for each industry are averaged and submitted to the HFSP. This information is used to calculate acceptable quantities of hazardous substances that each industry may store in the different land use zones of the district to remain a permitted activity (refer Section 6.4).

Industry planning guides, usually in the form of leaflets, therefore explain what quantities of hazardous substances are allowed to be stored by a proposed new facility without triggering the need for a land use consent application.

7.2.4 Electronic support

The Step-by-Step Guide in Section 5.4 outlines the manual calculations that are required for the HFSP. It is of benefit to work through these calculations several times using the case studies outlined in Appendix E to become familiar with the concept of the HFSP. Once this concept and the available shortcuts are understood, HFSP calculations can be carried out very quickly, even on a manual basis.

The first edition of *Land Use Planning for Hazardous Facilities* (the 'Red Book') was accompanied by software specifically designed for the HFSP. However, this software became quickly obsolete due to the introduction of new upgrades of Microsoft software. Although it was originally planned to upgrade the HFSP software in conjunction with revising the HFSP itself, this did not proceed for the following reasons:

- There was a need to continuously upgrade the software, and thus a risk of potential flaws.
- Software creates the impression that the HFSP is a highly complex method that cannot be used without computer support, which is clearly not the case as manual calculations can be carried out very quickly. Off-the-shelf software such as the spreadsheet package Microsoft Excel® can be used to aid with HFSP calculations without the need for designer software.
- Probably the most time-consuming aspect of the HFSP is collating information about hazardous substances and rating them for HFSP calculations. To help this process, a number of widely used hazardous substances have been rated for HFSP calculations (Appendix B) and included in the HFSP Calculation Spreadsheet available for downloading from the MfE website. Further information will be published on this website from time to time. This task would be much more difficult with specifically designed software.

Given the above considerations, an alternative concept for electronic support, focused on the MfE website, was developed which will offer the following information (Figure 3):

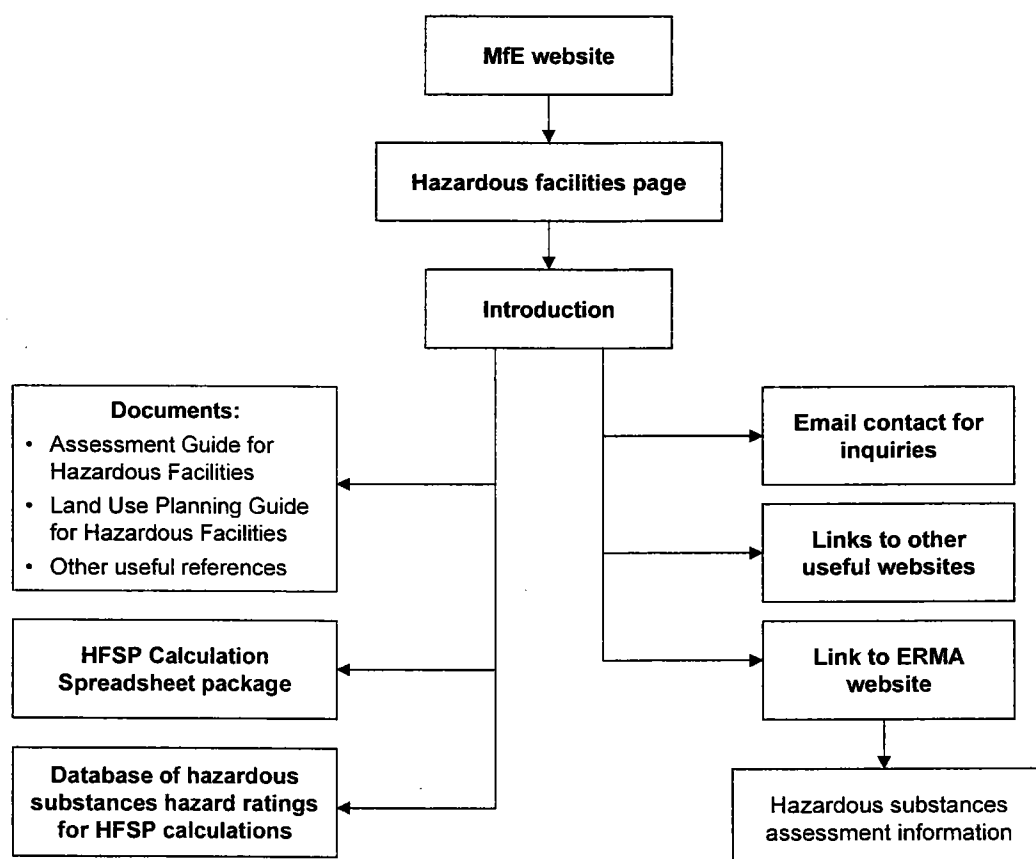
- downloadable copies of relevant technical documents
- the HFSP Calculation Spreadsheet Package to assist with HFSP calculations
- hazardous substances ratings for common hazardous substances to facilitate HFSP calculations (Appendix B)
- a link to the ERMA website providing additional information on the classification of existing and new hazardous substances
- links to other national and international websites containing relevant information on hazardous substances.

7.2.5 External support

Historically, the Auckland Regional Council has played a vital role in providing free and independent support and advice to users of the HFSP. This role has now been taken over by the MfE. Information and support is available to district councils and other government agencies, prospective applicants and consultants in the form of:

- newsletters
- updating and maintenance of the hazardous facility information on the website
- notification of training opportunities and seminars.

Figure 3: Structure of the MfE hazardous facilities website



7.3 Monitoring the implementation process

To enable the successful implementation of the HFSP in a region or district, it is important to monitor this process. This includes aspects such as staff training records, numbers of inquiries related to hazardous facilities, numbers of resource consent applications processed and consents granted. Such monitoring takes place in addition to regulatory monitoring of resource consent conditions (see Section 4.6.6).

It is important to note that once the traditional licensing requirements under the repealed Dangerous Goods legislation have ceased, monitoring of hazardous facilities under the RMA will gain increasing importance. It will be one of the few mechanisms available to district councils to obtain data on hazardous facilities.

It is also important to build monitoring into the implementation strategy for the HFSP and to maintain this process in the long term.