

## Health and Safety at Work (Hazardous Substances) Regulations 2017 Emergency Response Test Checklist

This document contains guidance to assist you to complete your sites annual  
Emergency Response Plan exercise/test.

You must have a compliant Emergency Response Plan  
<http://www.envirocom.co.nz/checklistsdocs.html> .

The actual test is a single page (page 2) but you may need to provide supplemental information such  
as evidence of follow up actions taken, Inventory, SDS, Site Plan and staff training documents.

### Regulation 5.12: Test and revision of emergency response plan

- (1) A PCBU must ensure that its emergency response plan is tested at least every 12 months to demonstrate whether the plan is workable and effective.
- (2) If a **person, procedure, or action** specified in an emergency response plan is **changed**, the PCBU must ensure that **the plan is tested within 3 months of the change** to demonstrate whether—
  - (a) the new person can perform his or her functions under the plan; and
  - (b) the new procedure or action is workable and effective.
- (3) The PCBU must, so far as is reasonably practicable, amend the emergency response plan in response to the findings of a test to ensure that the plan is workable and effective.
- (4) A PCBU must make a record of tests carried out under this regulation and of the results of those tests.
- (5) A PCBU must keep the record of a test for at least 2 years after the date on which the record was made.
- (6) A PCBU who contravenes subclause (1), (2), or (3) commits an offence and is liable on conviction,—
  - (a) for an individual, to **a fine not exceeding \$10,000**;
  - (b) for any other person, to **a fine not exceeding \$50,000**.
- (7) A PCBU who contravenes subclause (4) or (5) commits an offence and is liable on conviction,—
  - (a) for an individual, to **a fine not exceeding \$2,000**;
  - (b) for any other person, to **a fine not exceeding \$10,000**.

Compare: SR 2001/123 r 33

### Below are example scenarios that may be applicable to your site – other scenarios may be required.

- Liquid Spill - may include: fuel splash onto clothing, fuel to ground, fuel to interceptor, Paint/other solvent spill. Check that spill kit is available and adequately stocked and staff have spill kit training.
- Gas leak - may include: leaking bottle, leaking tank – LPG, O<sub>2</sub>, Acetylene, Entonox, Chlorine.
- Fuel Fire - may include: car engine fire, fire following petrol spill, LPG fire – storage of fuel containers must be included if triggered.
- Injury - may include: Person on fire, LPG burns, LPG in Eye, Substance contact with skin, poisoning, chemical burns, acid to skin/face – plan needs to identify specific requirement for treating a 'cold' LPG burn if LPG present.
- Natural disaster – may include: Earthquake, Tsunami, Flood, Fire, Volcanic Eruption
- Other ERP item – may include: Bomb Threat, Robbery, Fire, Evacuation Procedures and other items as relevant to site.

## Details of Annual ERP Test Circle answers:

Location/Company Name/PCBU:		
<b>Date of Test:</b>	Any new substances since last test? Yes / No	
<b>Name:</b>	<b>Signature:</b>	
Persons involved in test (must include any person named in the ERP):		
Site Address:		
Location of Substances, as above or:		
Substances &/or classes requiring ERP (See class and quantity list in "Guide – Emergency Response Plan Test" on our website):		
New Substances:		
Item to test?	Correct?	Actions?
1. Is the Inventory up to date?	Yes / No	Update inventory assigned to?
2. SDS available and in correct places. Are SDS dated in last 5 years?	Yes / No	Update SDS assigned to?
3. Site Plan up to date? ALL hazardous substances must be identified?	Yes / No	Update site plan assigned to?
4. Contact information is up to date in plan?	Yes / No	<input type="checkbox"/> Site Manager <input type="checkbox"/> Emergency Services <input type="checkbox"/> Gas Supplier <input type="checkbox"/> First Aiders <input type="checkbox"/> Fire Wardens <input type="checkbox"/> Any other named personnel <input type="checkbox"/> _____ <input type="checkbox"/> _____
5. Availability of equipment, facilities and people. Is it/are they: <input type="checkbox"/> Present in locations as described in plan? <input type="checkbox"/> Available to reach location of substances within time specified in plan? <input type="checkbox"/> If a trained person, are they available to provide advice or information in the plan within a time specified in the plan?	Yes / No	<input type="checkbox"/> Fire Extinguishers – available? In date? <input type="checkbox"/> Hoses <input type="checkbox"/> Spill Kit <input type="checkbox"/> First Aid Kit <input type="checkbox"/> Safety Showers <input type="checkbox"/> Eye Washes <input type="checkbox"/> PPE <input type="checkbox"/> BWOFF <input type="checkbox"/> <b>Emergency Stops/Shut off valves tested?</b> <input type="checkbox"/> LPG <input type="checkbox"/> Fuel <input type="checkbox"/> _____ <input type="checkbox"/> _____
6. Was every procedure or action detailed in the plan workable and effective?	Yes / No	Update procedure or action assigned to?
7. Does the plan cover all procedures or actions required to deal with the specific incident?	Yes / No	Update plan assigned to?
8. What/how was the plan tested? Eg: desktop walkthrough/discussion, scenario enactment, practical scenario.	What, how & was it successful:	
9. What issues were identified during the test?	Indicated above or itemise below:	
<p>The plan must be amended, so far as reasonably practicable, in response to the findings above to ensure it is workable and effective. The test and the results of the test must be recorded and retained for at least 2 years.</p>		

## Specific Regulations in addition to 5.12

### 5.7 Duty to prepare emergency response plan

(1) A PCBU with management or control of a workplace must ensure that an emergency response plan is prepared for the workplace.

(2) The emergency response plan must describe and apply to all reasonably foreseeable emergencies that may arise from a breach or failure of the controls on any **hazardous substance** present or likely to be present at the workplace.

(3) The emergency response plan must, for each reasonably foreseeable emergency,—

(a) describe the actions to be taken to—

(i) warn people at the workplace, and in surrounding areas that may be adversely affected by the emergency, that the emergency has occurred; and

(ii) advise those people about the actions they should take to protect themselves; and

(iii) help or treat any person injured in the emergency; and

(iv) manage the emergency so that its adverse effects are, in the order set out below,—

(A) restricted to the area initially affected; and

(B) reduced in severity as soon as practicable; and

(C) eliminated, if reasonably possible; and

(v) re-establish the controls put in place by the PCBU in respect of the hazardous substances at the workplace, including the use of protective equipment or agents (for example, neutralisers or absorbents); and

(b) identify each person with responsibility for the actions described in paragraph (a) (or any part of any of those actions) and give information on—

(i) how to contact the person; and

(ii) any skills the person is required to have; and

(iii) any special training needed to deal with an emergency involving the substance; and

(iv) any actions the person is expected to take; and

(c) specify—

(i) how to obtain information about the hazardous properties of, and means of controlling, the substance or substances that may be involved; and

(ii) actions to be taken to contact any emergency service provider; and

(iii) the purpose and location of each item of equipment or facilities to be used to manage the emergency; and

(iv) how to decide which actions to take; and

(v) the sequence in which actions should be taken; and

(d) provide—

(i) an inventory of hazardous substances present at the workplace; and

(ii) a site plan that shows the physical position of all hazardous substance locations within the boundary of the workplace (if applicable).

(4) The emergency response plan—

(a) must specify the type and location of the fire extinguishers provided in accordance with regulation 5.3, and any extra fire-fighting equipment or facilities provided, if any of the reasonably foreseeable emergencies identified in the plan is a fire; and

(b) must provide for the retention of any liquid or liquefied oxidising substance or organic peroxide to prevent it from contacting any incompatible substance.

(5) A PCBU who contravenes this regulation commits an offence and is liable on conviction,—

(a) for an individual, to a fine not exceeding \$10,000:

(b) for any other person, to a fine not exceeding \$50,000.

**Must also meet the following regulations (abbreviated):**

- 5.8 Duty to Implement,
- 5.9 Availability of Equip, Facilities and People, equip identified in plan must be there.
- 5.10 Plan must be available, to persons identified in the plan and emergency workers.
- 5.11 FENZ may review
- HSW (General Risk and Workplace Management) Regs 2016

**Table listing classes and quantities which trigger an ERP**

<b>Hazard Classification</b>	<b>Description</b>	<b>Quantity</b>
2.1.1A	Permanent gas	200 m <sup>3</sup>
	Non-permanent gas	300 kg
2.1.1B	Permanent gas	600 m <sup>3</sup>
	Non-permanent gas	1 000 kg
2.1.2A	Aerosol	3 000 L aggregate water capacity
3.1A	Liquid	100 L
(HSR008039) E85	Liquid	1 000 L
3.1B	Liquid	1 000 L
3.1C, 3.1D	Liquid	10 000 L
3.2A, 3.2B, 3.2C	Liquid	100 L
4.1.1A	Solid	1 000 kg
4.1.1B	Solid	10 000 kg
4.1.2A, 4.1.2B	Liquid	50 L
	Solid	50 kg
4.1.2C, 4.1.2D	Liquid	100 L
	Solid	100 kg
4.1.2E, 4.1.2F, 4.1.2G	Liquid	200 L
	Solid	200 kg
4.1.3A, 4.1.3B, 4.1.3C	Liquid	100 L
	Solid	100 kg
4.2A	Liquid	100 L
	Solid	100 kg
4.2B	Solid	1 000 kg
4.2C	Solid	10 000 kg
4.3A	Liquid	100 L
	Solid	100 kg
4.3B	Liquid	1 000 L
	Solid	1 000 kg
4.3C	Liquid	10 000 L
	Solid	10 000 kg
5.1.1A	Liquid	50 L
	Solid	50 kg
5.1.1B	Liquid	500 L
	Solid	500 kg
5.1.1C	Liquid	5 000 L
	Solid	5 000 kg

5.1.2A	Permanent gas	100 m <sup>3</sup>
	Non-permanent gas	100 kg
5.2A, 5.2B	Liquid	10 L
	Solid	10 kg
5.2C, 5.2D	Liquid	25 L
	Solid	25 kg
5.2E, 5.2F	Liquid	100 L
	Solid	100 kg
6.1A, 6.1B, 6.1C	Permanent gas	2.5 m <sup>3</sup>
	Non-permanent gas	5 kg
	Liquid	100 L
	Solid	100 kg
Ripper range, 30–55% iodomethane and 45–70% chloropicrin, HSNO approval number HSR100349	Liquid	50 L
Ripper 980, HSNO approval number HSR100350	Liquid	50 L
6.1D, 6.5A, 6.5B, 6.7A	Permanent gas	25 m <sup>3</sup>
	Non-permanent gas	50 kg
	Liquid	1 000 L
	Solid	1 000 kg
	Aerosol	3 000 L aggregate water capacity
6.6A, 6.7B, 6.8A, 6.9A	Liquid	10 000 L
	Solid	10 000 kg
	Aerosol	3 000 L aggregate water capacity
8.2A	Permanent gas	2.5 m <sup>3</sup>
	Non-permanent gas	5kg
	Liquid	100 L
	Solid	100 kg
8.2B	Permanent gas	25 m <sup>3</sup>
	Non-permanent gas	50 kg
	Liquid	1 000 L
	Solid	1 000 kg
	Aerosol	3 000 L aggregate water capacity
8.2C, 8.3A	Liquid	10 000 L
	Solid	10 000 kg
	Aerosol	3 000 L aggregate water capacity