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# APPROVAL

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## Summary

Substance	Alloy C Antifouling Range
Application type	To reissue an approval for a hazardous substance under clause 4 of Schedule 7 of the Hazardous Substances and New Organisms Act 1996 ("the Act")
Considered by	The Chief Executive <sup>1</sup> of the Environmental Protection Authority ("the EPA")
Decision	Approved for reissue
Date of reissue	30 April 2021
Approval code	<b>HSR000952</b>
Hazard classification	Flammable liquid Category 3, Acute oral toxicity Category 4, Acute inhalation toxicity Category 4, Eye irritation Category 2, Skin sensitisation Category 1, Reproductive toxicity Category 1, Specific target organ toxicity (repeated exposure) Category 2, Hazardous to the aquatic environment acute Category 1, Hazardous to the aquatic environment chronic Category 1

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<sup>1</sup> The Chief Executive of the EPA has made the decision on this application under delegated authority in accordance with section 19 of the Act

## Decision

- 1.1. Pursuant to clause 4 of Schedule 7 of the Act, I have considered this approval to reissue.
- 1.2. I have considered the matters raised in sections 4 to 8 of the Act but, given the nature of the reissue is administrative, there are no further considerations required in order to achieve the purpose of the Act.
- 1.3. I consider it appropriate to reissue approval HSR000952 with the controls set out in the Appendix in accordance with clause 4 of Schedule 7 of the Act. Therefore the reissued approval is now made under section 29 of the Act, in accordance with clause 4(5) of Schedule 7, and Schedule 7 no longer applies to the reissued approval. Given the hazard classification system comes into effect from 30 April 2021, this decision will have effect from that date.
- 1.4. The transitional provisions of the Labelling Notice, Safety Data Sheets Notice and Packaging Notice apply to this reissued approval for the transitional period which begins on the date of reissue and ends on 30 April 2025.



Signed by:

Date: 16 April 2021

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Dr Allan L Freeth  
Chief Executive, EPA

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## Appendix: Controls applying to HSR000952

### Hazardous substances and new organisms (HSNO) default controls

Control code	EPA Notice	Notice / Part description
LAB	Labelling Notice 2017	<a href="#">Requirements for labelling of hazardous substances</a>
PKG	Packaging Notice 2017	<a href="#">Requirements for packaging of hazardous substances</a>
SDS	Safety Data Sheets Notice 2017	<a href="#">Requirements for safety data sheets for hazardous substances</a>
DIS	Disposal Notice 2017	<a href="#">Requirements for disposing hazardous substances</a>
HPC1	Hazardous Property Controls Notice 2017 Part 1	<a href="#">Preliminary provisions</a>
HPC3	Hazardous Property Controls Notice 2017 Part 3	<a href="#">Requirements for hazardous substances in a place other than a workplace</a>
HPC4A	Hazardous Property Controls Notice 2017 Part 4A	<a href="#">Substances that are hazardous to the environment: Site and storage controls</a>
HPC4B	Hazardous Property Controls Notice 2017 Part 4B	<a href="#">Use of substances that are hazardous to the environment</a>
HPC4C	Hazardous Property Controls Notice 2017 Part 4C	<a href="#">Qualifications required for application of substances that are hazardous to the environment</a>

### HSNO additional controls and modifications to controls

Control Description	Varied / Additional Control	Control
LAB	Variation to Labelling Notice	<p>(1) The label for this substance must include the following statements (or similar):</p> <ul style="list-style-type: none"> <li>(a) When applying this substance by spraying, you must sufficiently enclose the area to ensure that the substance is not deposited on off-target sites and has no adverse effects on bystanders; and</li> <li>(b) You must ensure that waste generated from maintenance activities does not enter the environment.</li> </ul> <p>(2) A person must not supply this substance to any other person unless the substance label shows the information required by (1).</p>

Control Description	Varied / Additional Control	Control
Use restrictions	Additional control	No person may use this substance for any purpose other than as an antifouling paint to prevent, by the slow release of biocides, the build up of aquatic organisms on the hulls of vessels or other surfaces in contact with water.
Antifouling paints - collection of substances from maintenance activities	Additional control	<p>(1) Any person who removes any antifouling paint coating from the hull of a boat must ensure that waste containing antifouling paint residue is collected.</p> <p>(2) All collected waste, as referred to in subclause (1), must be disposed of in accordance with the Disposal Notice.</p>
Antifouling paints – personal protective equipment requirements outside of workplaces	Additional control	Where this substance is applied in a place other than a workplace, any person who handles the substance must use protective clothing or equipment that is designed, constructed, and operated to ensure that the person does not come into contact with or inhale the substance.

Control Description	Varied / Additional Control	Control
Antifouling paints – controlled work area and signage requirements outside of workplaces	Additional control	<p>Where this substance is applied in a place other than a workplace:</p> <p>Controlled work area</p> <p>(1) Any person applying the substance must ensure that application of the substance is carried out in a controlled work area.</p> <p>(2) The controlled work area, as referred to in subclause (1) is a designated area in which antifouling paints are applied, using a method and located such that off-target deposition of the substance, including onto bystanders, is avoided by taking all practicable steps.</p> <p>(3) Any person applying the substance in a controlled work area must avoid off-target deposition of the substance. To avoid doubt, this requirement includes avoiding off-target deposition of the substance onto persons outside of, but within the immediate vicinity of, the controlled work area.</p> <p>Signage</p> <p>(4) Any person applying the substance must ensure that signs are placed at every point of entrance into the controlled work area. Signs must be posted from the start of application, until the end of the application.</p> <p>(5) Signs erected in accordance with subclause (4) must—</p> <p>(a) warn that an application is being carried out using a substance that is toxic to humans;</p> <p>(b) identify the person in charge of the application;</p> <p>(c) state that entry into the controlled work area is not permitted unless personal protective equipment (PPE) is worn by the person entering the controlled work area; and</p> <p>(d) be easily read by a person with normal eyesight, and be able to be easily comprehended.</p> <p>(6) The conditions of (4) and (5) do not apply when the substance is applied using non-dispersive methods.</p>
Other: Environmental Exposure Limits (EEL)	Additional control	<p>An EEL<sub>water</sub> has been set for tolylfluorid. The EEL value is 0.06 µg/L.</p> <p>An EEL<sub>freshwater</sub> has been set for copper. The EEL value is 1.4 µg/L.</p> <p>An EEL<sub>marine</sub> has been set for copper. The EEL value is 1.3 µg/L.</p> <p>An EEL<sub>freshwater</sub> has been set for zinc. The EEL value is 8 µg/L.</p> <p>An EEL<sub>marine</sub> has been set for zinc. The EEL value is 15 µg/L.</p>

## Health and safety at work (HSW) requirements

Advisory Note: These requirements are not set for the substance under this approval but apply in their own right under the HSW (Hazardous Substances) Regulations 2017 according to the classification of the substance. They are listed here for information purposes only.

Control code	Regulation Part	Description
HSW1	Part 1	<a href="#">Application</a>
HSW2	Part 2	<a href="#">Labelling, signage, safety data sheets, and packaging</a>
HSW3	Part 3	<a href="#">General duties relating to risk management</a>
HSW4	Part 4	<a href="#">Certified handlers and supervision and training of workers</a>
HSW5	Part 5	<a href="#">Emergency management</a>
HSW8	Part 8	<a href="#">Controls applying to all class 1 to 5 substances</a>
HSW10	Part 10	<a href="#">Class 2, 3, and 4 substances</a>
HSW11	Part 11	<a href="#">Controls relating to adverse effects of unintended ignition of class 2 and 3.1 substances</a>
HSW13	Part 13	<a href="#">Class 6 and 8 substances</a>
HSW16	Part 16	<a href="#">Tank wagons and transportable containers</a>
HSW17	Part 17	<a href="#">Stationary container systems</a>