

MEMO

To: Emily McDowall at Greater Wellington City Council

Date: 1/02/2023

RE: **Response to investigation letter sent 20/01/2023**

Dear Emily

Please find below answers to the questions listed in your investigation letter.

1. Who directed the discharge and who undertook the discharge?

Response: All waste directed for discharge and disposal is managed by myself, and the Central Regional Manager, Blair Chalmers.

2. What do you consider caused the discharge? You have informed us that empty skips may have been brought back from the landfill to Interwaste at 12-12:30pm. This does not align with the information we hold, given the timing of the original notification. Please discuss with operational staff and provide GWRC with copies of all waste documentation for 12 January 2023.

Response: The original notification was raised at 11.34AM this was the time when the skip truck was picking up the full skips and returning the empty skips dropping them off in the yard. This took place between 11.00AM and 1.00PM. There were three skips taken to landfill that Day. Please see weight bridge record screenshot bellow:

Date	Weight	Container	Material	Waste Type	Weight
12-Jan-23	380846	KQE385	WASTECOM General	Refuse Commercial Origin	2.48
12-Jan-23	381045	JZS672	SHARPS	SPECIAL Special wastes	0.92
12-Jan-23	381065	JZS672	SHARPS	SPECIAL Special wastes	1.04
12-Jan-23	381074	KQE385	WASTECOM General	Refuse Commercial Origin	2.14
12-Jan-23	381079	JZS672	SHARPS	SPECIAL Special wastes	1.90
12-Jan-23	381139	KQE385	WASTECOM General	Refuse Commercial Origin	1.24
13-Jan-23	381199	KQE385	WASTECOM General	Refuse Commercial Origin	3.06

Please also see waste collection figures as requested:

PRODUCTION						12/01/2023		
KG received at site - Quarantine		259	536	382	485	4,425	664	4,272
KG received at site - Medical		1,273	3,718	4,524	2,646	3,255	2,611	527
Waste receipts requiring autoclave treatment		1,532	4,254	4,906	3,131	7,680	3,275	4,799
Quarantine waste processed								
Medical waste processed			4,960	5,080	4,780	5,860	6,460	5,940

3. What measures will be put in place (and by what date) to ensure that such an objectionable discharge does not occur again?

Response: Since the day of the notification, from 13/01/23, We changed the way the pickups are done. Gantry truck pickup and drop off the skips inside the building so if there is any residual odour it can be dealt with via our onsite controls.

As explained in my original correspondence, our investigation did not identify any alternative source of odour in the waste collected and processed on the specified day.

Regards

VALENTIN CZIBESZ
WELLINGTON OPERATIONS MANAGER



International Waste Ltd

M: +64 21 468 794 | D: +64 4 237 6982 | F: +64 4 237 4695
www.interwaste.co.nz

From: [Emily McDowall](#)
To: [Nigel Priest](#); [Valentin Czibesz](#)
Subject: Alternative Interwaste contact
Date: Friday, 17 February 2023 11:03:00 am
Attachments: [image001.png](#)

Hi Nigel, Val,

Thanks for the call before Nigel.

On another matter, please let me know an alternate contact if Val is away and cannot take a call about a notification.

I'm just making some updates to our duty response site-specific protocol for Interwaste. Previously I had Blair as main contact and Val as alternate if Blair didn't pick up.

Thanks, Emily



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

021 191 9689

100 Cuba Street, Wellington

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Please note that my usual days of work are Wednesdays, Thursdays and Fridays.

From: [Emily McDowall](#)
To: [Blair Chalmers](#)
Subject: an email later is fine
Date: Friday, 21 October 2022 2:45:00 pm
Attachments: [image001.png](#)

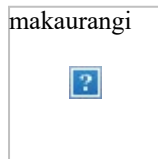
P.S. OIA documents now sent out to requestor

We have not sent out the Ops Manual (but will want to send the OMP in time as per my earlier email)

The occupational hygienist report

And the toolbox talk notes

And Interwaste site safety inspection 15.02.21



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

100 Cuba Street, Wellington

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From: [Emily McDowall](#)
To: [Blair Chalmers](#); [Valentin Czibesz](#)
Subject: Approved Operation Management Plan WGN110357
Date: Thursday, 9 February 2023 9:57:00 am
Attachments: [File Note of Manager Approval of Interwaste Operations Manual.pdf](#)
[image001.png](#)

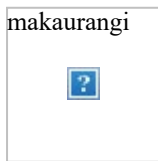
Morning Blair and Val,

Just confirming that we've approved the latest version of the Operation Management Plan (Ops Manual).

Thanks Blair for all the updates you made to this document.

Memo attached for your reference.

See you tomorrow, Emily



Emily McDowall
Resource Advisor Kaitohutohu – Environmental Regulation
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From: [Emily McDowall](#)
To: [Blair Chalmers](#)
Subject: Do you have time for a phone call this afternoon?
Date: Thursday, 1 December 2022 3:45:16 pm
Attachments: [image001.png](#)

Hi Blair,

Please give me a call over the next hour. We have received multiple notifications today.

Thanks, Emily



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

021 191 9689

100 Cuba Street, Wellington

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From: [Emily McDowall](#)
To: [Valentin Czibesz](#); [Nigel Priest](#)
Subject: Email from Vape Canyon meant for Interwaste - Contaminated Water Seepage
Date: Wednesday, 22 February 2023 2:17:00 pm
Attachments: [image002.png](#)

Hello Val, Nigel,

Sorry to bother you but I'm not sure if you would have received the below email.
Just making you aware of this, particularly the last line.

Regards, Emily



Emily McDowall
Resource Advisor Kaitohutohu – Environmental Regulation
Greater Wellington Te Pane Matua Taiao
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100 Cuba Street, Wellington
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Please note that my usual days of work are Wednesdays, Thursdays and Fridays.

From: Chris Roestenburg <xxxxxxxxxxxxxxxx@xxxxx.xxx>
Sent: Tuesday, 21 February 2023 11:43 am
To: xxxx@xxxxxxxxxx.xx; xxxx@xxxx.xxxx.xx; Notifications <xxxxxxxxxxxx@xx.xxxx.xx>
Subject: Contaminated Water Seeping Through My Walls

To Interwaste

You guys have been crashing and banging up a storm next door since you threw Blair Chalmers under the bus, shaking my entire building and causing cracks to appear in your concrete pad and my wall.

As you know already from previous experience this is leading to water that is contaminated with the high-risk waste your processing to be seeping through my wall which is against MBIE spec.

When my staff handle this material they are left with rashes, itching and eye styes.

If you continue to affect my staff like this i'll throw a bucket of this delicious bacterial chemical smelling water all over Valentin the next time it occurs so he too can enjoy the rashes and itching that occurs when one comes into contact with this contaminated water.

Best Regards
Kris

From: [Valentin Czibesz](#)
To: [Emily McDowall](#)
Cc: [Ozae Cantu Da Silva](#); [Nigel Priest](#)
Subject: FW:
Date: Friday, 3 March 2023 4:48:09 pm
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[Image.jpeg](#)
[Image.jpeg](#)

For the skips in question, we are using a contractor and the skips belong to them. As you can see in the attached photos, the bin has an open top because we load them from above. On my way to work this morning, I noticed a bin similar to the one in the video, on the side of the road around three hundred meters away from our neighbours. Did you receive any other complaints from Broken Hill road about smelly bins?

REGARDS
VALENTIN CZIBESZ
WELLINGTON OPERATIONS MANAGER



International Waste Ltd
M: +64 21 468 794 | D: +64 4 237 6982 | F: +64 4 237 4695
www.interwaste.co.nz



From: [Emily McDowall](#)
To: [Nigel Priest](#); [Valentin Czibesz](#)
Subject: FW: Alternative Interwaste contact
Date: Friday, 17 February 2023 12:29:00 pm
Attachments: [image001.png](#)

I've put you down as second contact in the interim Nigel

From: Emily McDowall
Sent: Friday, 17 February 2023 11:04 am
To: Nigel Priest <~~@xx~~>; Valentin Czibesz <valentin@interwaste.co.nz>
Subject: Alternative Interwaste contact

Hi Nigel, Val,

Thanks for the call before Nigel.

On another matter, please let me know an alternate contact if Val is away and cannot take a call about a notification.

I'm just making some updates to our duty response site-specific protocol for Interwaste. Previously I had Blair as main contact and Val as alternate if Blair didn't pick up.

Thanks, Emily



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From: [Emily McDowall](#)
To: [Blair Chalmers](#)
Subject: FW: Doors have been open most morning stinks
Date: Thursday, 1 December 2022 3:57:00 pm
Attachments: [Image.jpeg](#)
[Image.jpeg](#)

Sent: Thursday, 1 December 2022 9:10 am

To:

Subject: Doors have been open most morning stinks

Doors have been open most morning stinks I was here at 8 they were open, I didn't take first pic till 8:30, then made complaint with GWRC yesterday and today tickets numbers attached

30/11/22-23415

1/12/22-23419

Intensity 6/6 customers have dry heaved and walked away had to close doors back up too public

Smells like rotting flesh deathly smell

I have been dry heaving

Side door is still wide open the smell is coming from the inside of the building that's all I can tell they are hosing things down also

Smells so bad Emily,

Thanks I'm advance

Get [Outlook for iOS](#)

From: [Emily McDowall](#)
To: [Blair Chalmers](#)
Subject: FW: Interwaste 1/12/2022
Date: Thursday, 1 December 2022 3:59:00 pm

From:
Sent: Thursday, 1 December 2022 11:20 am
To: Notifications <xxxxxxxxxxxx@xx.xxx.xx>; Emily McDowall <Emily.McDowalx@xx.xxx.xx>;
Subject: Interwaste 1/12/2022

- What exactly does it smell like? **Rotting fecal matter which always occurs whilst Interwaste is processing Infectious Waste. It is beyond just the smell of feces it is potentially unhealthy and everything within our bodies know's it's not healthy or safe to breath in.**
- How strong is the odour on a scale of 0-6, with 6 being the strongest? **6, my staff had to lock themselves inside again. These poisonous chemicals in the air were that ferral and intense that interwaste staff had to leave their side door open and although this is not against their RC it clearly demonstrates that even their own staff can't handle the chemicals in the air.**
- Was the roller door open at the time the odour was noticed?
 - If so, do you know how many minutes the roller door has been opened for in total?
- If the roller door is closed, do you think the smell is coming from waste in the yard? **It's coming from the infectious waste being processed inside.**
 - If so, can you tell what sort of waste it is (e.g. medical, quarantine, general waste)?
Unknown
 - Can you tell if it has been processed through the autoclave or not? **Most likely**
 - What is the waste stored in (e.g. a skip or bin? is it covered or uncovered?)
Unknown
- If the roller door is closed, and there is no waste in the yard, is there anything else that you think might be causing the smell?
- **Yes it's the infectious waste, this facility isn't capable of processing infectious waste without either the residents in the area being forced to breathe in poisonous chemicals and carcinogens or Interwastes own staff. See below for more details, I have filed an OIA with the DHB asking 2 questions, the first question I sent them a smell log asking what was sent to Interwaste and the second question asks if PVC is sent to them as this is known to release carcinogens when placed inside an autoclave.**

1. I'd like to know what was sent to international waste ltd for processing on the following dates;

The following data includes volumes of waste collected by Interwaste from all CCHV sites

on the dates requested.

- 30/09/22 – Infectious waste 327kg
- 03/10/22 – Infectious waste 1287kg
- 04/10/22 – Infectious waste 1085kg, Cytotoxic waste 70kg
- 06/10/22 – Infectious waste 1018kg, Cytotoxic waste 114kg
- 07/10/22 – Infectious waste 915kg, Cytotoxic waste 54kg
- 13/10/22 – Infectious waste 976kg, Cytotoxic waste 14kg
- 14/10/22 – Infectious waste 954kg, Cytotoxic waste 53kg
- 21/10/22 – Infectious waste 992kg, Cytotoxic waste 32kg
- 07/11/22 – Infectious waste 1085kg
- 08/11/22 – Infectious waste 1127kg, Cytotoxic waste 68kg
- 10/11/22 – Infectious waste 876kg, Cytotoxic waste 42kg

Note that CCHV do not have the capacity to identify what individual items are disposed of in the infectious waste stream as they are generally a mix of waste that is determined to be

potentially harmful to public or may have expressible components (such as blood and other bodily fluids) deemed not suitable for processing as recycling or general waste.

2. I'd like to know if you are sending PVC tubing to International Waste Ltd for processing as Acetone, Vinyl Acetate and Vinyl Chloride along with a 35 other chemicals were detected in a whole air sample taken of the emissions.

Yes some of the waste classed as Infectious or cytotoxic does include PVC tubing. While we participate in a PVC recycling scheme with a provider that captures the majority of our PVC,

some tubing will be disposed of in our infectious waste stream as it may not be suitable for recycling.

From: [Emily McDowall](#)
To: [Blair Chalmers](#)
Subject: FW: Interwaste side door still open
Date: Thursday, 1 December 2022 3:58:00 pm
Attachments: [Image.jpeg](#)

From:
Sent: Thursday, 1 December 2022 9:35 am
To: Emily McDowall <~~x@xx~~>; ~~x@xnz~~
Subject: Interwaste side door still open

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From: [Emily McDowall](#)
To: [Blair Chalmers](#)
Subject: FW: Re. your notifications today about Interwaste - WGN110357
Date: Thursday, 1 December 2022 9:29:00 pm

Please could you let me know if the highlighted is correct, this is an excerpt of an email from a notifier.

Thanks, Emily

From:
Sent: Thursday, 1 December 2022 6:35 pm
To: Emily McDowall <xxxxx.xxxxxxxx@xx.xxx.xx>
Subject: Re: Re. your notifications today about Interwaste - WGN110357

Today I spoke with another tenant in the area who appeared fairly distressed as their building was being filled up with foul smelling emissions, just like ours. This tenant made a complaint directly to Blair via phone and was advised that the emissions aren't coming from Interwaste and that **Interwaste will be operating 24/7 due to the built up backlog that needs to be cleared out.**

From: [Blair Chalmers](#)
To: [Emily McDowall](#)
Subject: FW: Request for OMP for GWRC approval - WGN110357
Date: Tuesday, 25 October 2022 1:40:04 pm
Attachments: [image001.png](#)
[image004.png](#)
[image005.png](#)
[IWL Wellington Operations Manual 2022 \(002\).pdf](#)

Good afternoon, Emily

I have updated this operating manual over the weekend and just had our upper management approve it.

Please accept this submission as our OMP for GWRC approval.

I have commented below in green which sections relate to the required information.

Please let me know if you have any feedback

Kind regards

BLAIR CHALMERS
CENTRAL REGIONAL MANAGER



International Waste Ltd
M: +64 21 727 138 | D: +64 4 237 9687 | F: +64 4 237 4695
www.interwaste.co.nz

An advertisement banner for INHALO Medical oxygen. On the left, the word "INHALO" is written in a large, blue, sans-serif font, with "Medical oxygen" in a smaller, blue font below it. To the right of the text is a photograph of several white medical oxygen cylinders. On the far right, a dark blue rectangular box contains the text "We now supply medical gas and liquid nitrogen, contact us for a competitive quote." in white, bold, sans-serif font.

TOITŪ



From: Emily McDowall <xxxxx.xxxxxxxx@xx.xxxx.xx>
Sent: Friday, 21 October 2022 11:03 am
To: Blair Chalmers <xxxxx@xxxxxxxxxxx.xx.xx>
Subject: Request for OMP for GWRC approval - WGN110357

Kia ora Blair,

I hope you're having a good week.

I wanted to rectify something with your air discharge consent WGN110357.

The consent requires an Operations and Management Plan to be submitted to us for the Manager's approval.

In 2020 I noticed that we have no record on file of this document having been approved. You sent me through the site's Ops Manual and I saved it to file but didn't arrange for the document to be approved.

We do need an approved OMP on file.

Please could you provide us an amended version of your Ops Manual that:

- Includes all the details below. The as-builts will be for the current version of the biofilter.
- Ideally doesn't include any extraneous material, as GWRC will likely provide the full OMP if requested (and the "OMP" has now been specifically requested) under OIA.

Given that most if not all of this material is already contained in the Ops Manual, I would like this material provided to me by no later than **COP Tuesday 1st November**.

At my end, I will review the document to make sure it includes the matters listed below, and to clarify anything if needed.

I will prepare a memo with a recommendation of approval/not to be signed by the Manager.

We may or may not receive technical advice on the document before approving it.

The OMP should be in accordance with the original consent application, attached (and the other associated docs provided in 2011 and the change of consent conditions material).

Kind regards,
Emily

Operation & Management Plan

11. The consent holder shall prepare and submit for approval to the Manager, Environmental Regulation, Wellington Regional Council an Operation & Management Plan (OMP) within three months of the commencement of this consent, or within another timeframe to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council. The scope of the OMP shall include but not be limited to the following information:
 - As-built details of the Waste Reception and Waste Sterilisation areas, including relevant details of the extraction system, with records of significant maintenance undertaken during the current year [Section 24.5 / page 50](#)
 - As-built details of the biofilter, with records of operating parameters, inspections undertaken and significant maintenance undertaken during the current year [Section 24.5 / page 50 \(& Appendix XIV\)](#)
 - Procedures for storing, transferring and treating waste materials [Section 11/ pages 30-37](#)
 - Operation and management of the waste treatment processes [Section 11/ pages 30-37](#)
 - Methods for ensuring the biofilter monitoring and recording parameters required by conditions 13-15 of this consent are met [Section 24.5 / Page 50](#)
 - Maintenance procedures for ensuring the good, clean condition of all trucks, containers and bins [Sections 8,9,10,15](#)
 - Maintenance procedures for ensuring the good, clean condition of the waste sterilisation units,

- which are in accordance with the manufacturer's specifications [Section 24](#)
- An air management plan incorporating the operation and maintenance of all emissions control equipment (including the associated ducting for this equipment) [Section 26](#)
 - Staff training on the process requirements, use of emissions control equipment, and emergency response [Section 5](#)
 - Identification of any contingency and precautionary measures to be put in place (e.g. for upset conditions, plant breakdowns, power outages etc) [Section 29](#)
 - Procedures for dealing with any spills of waste material [Section 6](#)
 - Maintenance procedures for ensuring the building doors are kept in good working order [Section 26.1.3](#)
 - Procedures for ensuring that the integrity of the building envelope is maintained to minimise the potential for fugitive emissions [Section 26](#)
 - Procedures for responding to any complaints received relating to the discharges to air from the site [Section 28](#)

The consent holder shall ensure that the OMP is consistent with the conditions of this consent, and shall be updated as required, with the latest copy made available to the Manager, Environmental Regulation, Wellington Regional Council.

Any amendments to the OMP shall meet the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

12. The consent holder shall, at all times, operate, maintain, supervise and control all processes and equipment on site to ensure compliance with the approved OMP pursuant to condition 11 and all other conditions of this consent.



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

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10 March 2023
File No: WGN110357

*International Waste Limited
28 Timberly Road,
Mangere,
Auckland, 2022*

Wellington Office
100 Cuba Street
Te Aro, Wellington 6011
PO Box 11646
Manners Street
Wellington 6142
T 04 384 5708
F 04 385 6960
www.gw.govt.nz

Attn: Valentin Czibesz [Wellington Operations Manager, Interwaste]

Dear Valentin

Reminder notice for infringement notice no. I 888

Attached is a Reminder Notice drawing to your attention that we have not yet received payment for infringement notice I888 that was issued to you. If the payment of your infringement notice is in the mail, please disregard this reminder notice. Otherwise, we look forward to receiving payment of this infringement notice by 7 April 2023. Please note that if we do not receive payment by the due date, this matter will be referred to the District Court.

I am the warranted enforcement officer who issued this Infringement Notice so any inquiries can be directed to me at the Greater Wellington Regional Council. My direct line is Emily.McDowall@gw.govt.nz.

Yours sincerely

Emily McDowall
Resource Advisor
Environmental Regulation

Encl: *Reminder Notice for Infringement I 888*

170999-971342186-24

Reminder notice in respect of infringement offence

Section 343C(4), Resource Management Act 1991;

Notice number: I 888

Enforcement Authority

Wellington Regional Council
PO Box 11646, Wellington 6142
100 Cuba Street, Te Aro
Ph 04 384 5708
Fax 04 385 6960

Enforcement Officer identification

Name: Emily McDowall
Warrant no: 941

To

International Waste Limited
28 Timberly Road,
Mangere,
Auckland, 2022

Valentin Czibesz [Wellington Operations Manager, Interwaste]

Address of offending:
12 Broken Hill Road,
Porirua, 5022

You are alleged to have committed an infringement offence against the Resource Management Act 1991, as follows:

Details of alleged infringement offence

Section of Resource Management Act 1991 contravened: Section 15(1)(c)

Location: 12 Broken Hill Road, Porirua, 5022

Date: 12 January 2023 Approximate time: 12:36pm

Service details:

Infringement notice

Served by *Served to Interwaste in person on 10 February 2023 – Received by Nigel Priest*

Reminder notice

Served by *By post and by email (valentin@interwaste.co.nz) on 10 March 2023/*

The fee for this infringement is:

\$1000.00

Amount of infringement fee unpaid: \$1000.00

This amount is now payable within 28 days after 10 March 2023

The Cost Recovery Fee:

\$310.50 (GST inclusive)

Amount of infringement fee unpaid: \$310.50

This amount is now payable within 28 days after 10 March 2023

Payment of infringement fee:

The infringement fee was payable to the enforcement authority within 28 days after 10 february 2023

The infringement fee remains payable to the enforcement authority at:

Wellington Regional Council
PO Box 11646, Wellington 6142
100 Cuba Street, Te Aro

The contact details of the enforcement authority are as follows:

Ph 04 384 5708
Fax 04 385 6960

**Electronic Payment may be made to Bank A/c 06-0582-0104781-00
Please put our invoice number in the reference field.**

Important: Please read the summary of rights printed on the next page.



Resource Management Infringement Notice

Name: *International Waste Limited*

Electronic Payment may be made to Bank A/c 06-0582-0104781-00
Please put our invoice number in the reference field.

For manual payments please forward this slip and payment to:
*Greater Wellington Regional Council
PO Box 11646, Wellington 6142*

Notice no: *1888*

Invoice no: *108653*

Payment made: \$ _____

Date: _____

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Summary of rights

Note: Please read this summary. If you do not understand it, you should consult your lawyer immediately.

1. You have not paid the infringement fee described on the front page, or asked for a hearing, within 28 days after you were served with the infringement notice. That is why you have been served with this reminder notice.
2. You will become liable to pay costs in addition to the infringement fee if:-
 - (a) you do not pay the infringement fee; and
 - (b) you do not ask for a hearing within 28 days after being served with this reminder notice; and
 - (c) the enforcement authority decides to bring court proceedings against you.

Defences relating to certain Resource Management Infringement offences

3.
 - (1) This defence is available to you if you are charged with an infringement offence against any sections 9, 11, 12, 13, 14, and 15 of the Resource Management Act 1991.
 - (2) You must prove that either of the following to have the defence:
 - (a) that:-
 - (i) the action or event to which the infringement notice relates was necessary for the purposes of saving or protecting life or health, or preventing serious damage to property, or avoiding an actual or likely adverse effect on the environment; and
 - (ii) your conduct was reasonable in the circumstances; and
 - (iii) you adequately mitigated or remedied the effects of the action or event after it occurred; or
 - (b) that:-
 - (i) the action or event to which the infringement notice relates was due to an event beyond your control, including natural disaster, mechanical failure, or sabotage; and
 - (ii) you could not reasonably have foreseen or provided against the action or event; and
 - (iii) you adequately mitigated or remedied the effects of the action or event after it occurred.
 - (3) Subparagraph (2) does not apply unless:-
 - (a) you deliver a written notice to the enforcement agency; and
 - (b) in the notice, you:-
 - (i) state that you intend to rely on subparagraph (2)(a) or (b); and
 - (ii) specify the facts that support your reliance on subparagraph (2)(a) or (b); and
 - (c) you deliver the notice:-
 - (i) within 7 days after you receive the infringement notice; or
 - (ii) within a longer period allowed by a District Court.
 - (4) If you do not comply with subparagraph (3), you may ask the District Court to give you leave to rely on subparagraph (2)(a) or (b).
4.
 - (1) This paragraph describes a defence additional to the one described in paragraph 3. This defence is available if:-
 - (a) you are:-
 - (i) a principal or
 - (ii) an employer; or
 - (iii) the owner of a ship; and
 - (b) you may be liable for an offence alleged to have been committed by:-
 - (i) your agent; or
 - (ii) your employee; or
 - (iii) the person in charge of your ship.

- (2) If you are a natural person, including a partner in a firm, you must prove either of the following to have the defence:
- (a) that you:-
 - (i) did not know, and could not reasonably be expected to have known, that the offence was to be, or was being, committed; and
 - (ii) took all reasonable steps to remedy any effects of the act or omission giving rise to the offence; or
 - (b) that you took all reasonable steps to:-
 - (i) prevent the commission of the offence; and
 - (ii) remedy any effects of the act or omission giving rise to the offence.
- (3) If you are a body corporate, you must prove either of the following to have the defence:
- (a) that:-
 - (i) neither the directors nor any person concerned in the management of the body corporate knew, or could reasonably be expected to have known, that the offence was to be, or was being, committed; and
 - (ii) you took all reasonable steps to remedy any effects of the act or omission giving rise to the offence; or
 - (b) that you took all reasonable steps to:-
 - (i) prevent the commission of the offence; and
 - (ii) remedy any effects of the act or omission giving rise to the offence.

Payment

5. If you pay all the infringement fees for all the alleged offences described in the infringement notice in a lump sum, please provide a note of:-
- (a) the infringement notice number; and
 - (b) the date of each infringement offence; and
 - (c) the identifying number of each offence.
6. If you do not pay all the infringement fees for all the alleged offences described in the infringement notice in a lump sum, please provide a note of:-
- (a) the offences you are paying fees for; and
 - (b) the offences you are not paying fees for; and
 - (c) what you are doing about the offences you are not paying fees for; and
 - (d) your full address for replies.

Full details of your rights and obligations are set out in sections 340 to 343D of the Resource Management Act 1991 and section 21 of the Summary Proceedings Act 1957.

Note: all payments, all queries, and all correspondence regarding this infringement must be directed to the informant at the address shown.

10 February 2023

File No: WGN110357

12 Broken Hill Road

Kenepuru

Porirua 5022

Via email: valentin@interwaste.co.nz

Attn: Valentin Czibesz

Wellington Office
100 Cuba Street
Te Aro, Wellington 6011
PO Box 11646
Manners Street
Wellington 6142
T 04 384 5708
F 04 385 6960
www.gw.govt.nz

Dear Valentin

Infringement Notice I888 and formal warning for objectionable odour from Interwaste on 12 January 2023

Thank you for your letter dated 1 February 2023, detailing your explanation of events that surrounded the production of odour beyond Interwaste's boundary on 12 January 2023. The information you provided was considered in reaching a decision on the outcome of the incident. This letter now concludes the Greater Wellington Regional Council's investigation into this matter. You have received this letter because you directed the discharge to air on 12 January 2023.

On this occasion we have decided to issue you with an infringement notice and formal warning for the breaches of the Resource Management Act 1991 (RMA) that you are responsible for, and to recover the costs of the investigation from you.

Summary of investigation

On 12 January 2023, at 11.34am, Greater Wellington received a notification of odour allegedly emanating from Interwaste. When the rostered enforcement officer spoke to the notifier, the notifiers described the smell as "a strong and disgusting toxic waste smell" which had lasted intermittently for between one minute and a few minutes at a time.

Around 12.30pm, the officer conducted a site visit. Standing beyond the Interwaste site boundary, the officer detected a strong, unpleasant odour. He conducted an odour assessment from 12:34-12:44pm, describing the odour overall as a "fleshy smell covered in bleach". Some of his notes across the ten minutes rate the smell as 4-6/6 at times and describe the smell as being "thick, heavy, noxiously bad, [like] vomit / off meat / chemical[s] / faeces" and "like bleach over dead meat."

170999-971342186-24

The officer found the odour to be objectionable, even in periods of short duration.

Breach(es) of the RMA

This discharge of odour contravenes section 15(1)(c) of the RMA which states that:

no person may discharge any contaminant [...] from any industrial or trade premises into air [...] unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

This discharge is not expressly allowed by a national environmental standard, a rule in a regional plan or a resource consent. Interwaste's resource consent WGN110357 [34191] allows Interwaste to produce odour beyond its boundary, but under condition 6:

there shall be no discharges to air that are, in the opinion of an enforcement officer of the Wellington Regional Council, noxious, dangerous, offensive or objectionable at or beyond the legal boundary of the property from which the consent holder operates.

Infringement notice

Attached is an Infringement Notice issued under section 343C of the RMA. It is important that you read and understand the Infringement Notice including the *Summary of Rights* on the reverse side, which sets out the actions available to you if you wish to appeal this notice. Please note that if you do not pay the infringement fee and do not deliver a letter requesting a hearing within 28 days after the service of this notice, you will be served with a reminder notice requesting payment within a further 28 days. If you do not pay the infringement fee and do not deliver a letter requesting a hearing in respect of the alleged infringement offence within 28 days after the service of the reminder notice, the notice will be referred to the court for collection of the fee and you may become liable to pay court costs in addition to the infringement fee.

You should be aware that if you request a hearing and you are found guilty, or plead guilty, the Court may impose a penalty which is different from the infringement fee set out in the infringement notice. The penalty imposed by the Court may be more, less or the same as the infringement fee. The penalties which the Court can impose at a hearing are in the case of a company, a fine up to \$600,000 or in the case of an individual, a fine up to \$300,000. You may wish to seek your own legal advice on the matter.

Formal warning

On this occasion you have committed one offence against the RMA and have received only one infringement notice. Please ensure that you take all necessary steps to comply with your obligations under the RMA in future as we may not be so lenient if a further breach occurs. Please also note that

this letter will form part of your compliance history and will be considered in the event of any future incidents.

GWRC has a responsibility to enforce the RMA. Failure to comply with the RMA may result in enforcement action including formal warnings, infringement notices or prosecution. More information on potential penalties is available online at <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM239042.html> and <http://www.legislation.govt.nz/regulation/public/1999/0359/latest/whole.html#DLM300060>

Cost recovery

Please find enclosed an invoice for costs incurred by GWRC in responding to a confirmed breach of the Resource Management Act 1991. In accordance with our Resource Management Charging Policy, a minimum standard charge of \$260.00 will apply to all environmental incidents inspected. Additional charges may apply in circumstances where the incident investigation costs exceed the minimum standard charge.

These costs are sought to ensure that the actual and reasonable costs of GWRC's compliance work are shared with the party undertaking the non-compliant activity. The details of this breach are summarised below.

Incident details

Incident:	Odour
Date:	12.01.23
Impact:	Objectionable odour
Responsible party:	International Waste Limited (Interwaste)
Investigating officer:	Emily McDowall
Section(s) contravened:	15(1)(c)

Itemised costs

Standard charge:	\$1000.00
Materials:	\$N/A
Other:	\$270.00 cost recovery (for incident attendance)
Subtotal:	\$1270.00
GST (15%)	\$40.50 (charged on the cost recovery only)
Total including GST:	\$1310.50

These costs are being recovered in accordance with section 150 of the Local Government Act 2002. Please note that if payment is not received within 28 days after **10 February 2023**, GWRC reserves the right to refer the matter to a collection agency.



If you have any questions about this matter please email me at emily.mcdowall@gw.govt.nz or call me on 021-191-9689.

Yours sincerely

A handwritten signature in blue ink that reads "emily mcdowall". The signature is written in a cursive, lowercase style.

Emily McDowall
Resource Advisor
Environmental Regulation

Resource Management Infringement Notice

(Issued under the authority of section 343c of the Resource Management Act 1991)

Enforcement authority

Wellington Regional Council
PO Box 11646, Wellington 6142

Enforcement officer: *Emily McDowall*

Authority: A warrant 941 issued by Wellington Regional Council on 2 December 2019 and delegated authority

TO: *International Waste Limited (Interwaste)*
12 Broken Hill Road, Kenepuru

For: Valentin Czibesz, Wellington Operations Manager, Interwaste

You are alleged to have committed an infringement offence against the Resource Management Act 1991, as follows:

Details of alleged infringement offence

Section of Resource Management Act 1991 contravened: *section 15(1)(c) being an offence against section 338(1)(a) of the Resource Management Act 1991.*

Nature of infringement:

Objectionable odour beyond the site boundary

This discharge contravenes section 15(1)(c) which states that: *no person may discharge any contaminant [...] from any industrial or trade premises into air [...] unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.*

This discharge is not expressly allowed by a national environmental standard, a rule in a regional plan or a resource consent.

You have received this notice because you are the Wellington Operations Manager at Interwaste, the business from which the odour emanated.

Location: *12 Broken Hill Road*
Kenepuru
Porirua 5022

Date: *12 January 2023*

Approximate time: *12.36pm*

The fee for this infringement is \$1460.50 including GST

Payment of infringement fee

The infringement fee is payable to the enforcement authority within 28 days after *10 February 2023*

The infringement fee is payable to the enforcement authority
at *100 Cuba Street, Te Aro, Wellington or PO Box 11646, Wellington 6142*

Payments by cheque should be made out to Greater Wellington Regional Council and crossed "Not Transferable".



.....
Signature of Enforcement Officer

Important
Please read summary of rights printed overleaf



Resource Management Infringement Notice

Notice no: 1888

Name: *International Waste Limited (Interwaste)*

Invoice no: *Invoice Number*

Electronic Payment may be made to Bank A/c 06-0582-0104781-00
Please put our invoice number in the reference field.

Payment made: \$ _____

Date: _____

For manual payments please forward this slip and payment to:
Greater Wellington Regional Council
PO Box 11646, Wellington 6142

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Summary of rights

Note: if, after reading this summary, you do not understand anything in it, you should consult a lawyer immediately.

Payment

1. If you pay the infringement fee within 28 days after the service of this notice, no further action will be taken against you in respect of this infringement offence. Payments should be made to the enforcement authority at the address shown on the front of this notice.

Note: if, under section 21 (3A) or (3C) (a) of the Summary Proceedings Act 1957, you enter or have entered into a time to pay arrangement with an informant in respect of an infringement fee payable by you, paragraphs 3 and 4 below do not apply and you are not entitled either to request a hearing to deny liability or to ask the Court to consider any submissions (as to penalty or otherwise) in respect of the infringement.

Further action

2. If you wish to raise any matter relating to circumstances of the alleged offence, you should do so by writing a letter and delivering it to the enforcement authority at the address shown on the front of this notice within 28 days after the service of a reminder notice in respect of the offence.
3. If you deny liability and wish to request a hearing in the District Court in respect of the alleged offence, you must, within 28 days after the service of a reminder notice in respect of the offence, deliver, to the enforcement authority at the address shown on the front page of this notice a letter requesting a Court hearing in respect of the offence. The enforcement authority will then, if it decides to commence court proceedings in respect of the offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the Court.

Note: if the Court finds you guilty of the offence, costs will be imposed in addition to any penalty.

4. If you admit liability in respect of the alleged offence but wish to have the Court consider submissions as to penalty or otherwise, you must, within 28 days after the service of a reminder notice in respect of the offence, deliver, to the enforcement authority at the address shown on the front page of this notice a letter requesting a hearing in respect of the offence AND in the same letter admit liability in respect of the offence AND set out the submissions that you would wish to be considered by the Court. The enforcement authority will then, if it decides to commence court proceedings in respect of the offence, file your letter with the Court. There is no provision for an oral hearing before the Court if you follow this course of action.

Note: costs will be imposed in addition to any penalty.

Non-payment of fee

5. If you do not pay the infringement fee and do not deliver a letter requesting a hearing within 28 days after the service of this notice, you will be served with a reminder notice (unless the enforcement authority decides otherwise).
6. If you do not pay the infringement fee and do not deliver a letter requesting a hearing in respect of the alleged infringement offence within 28 days after the service of the reminder notice, you will become liable to pay **costs in addition to the infringement fee** (unless the enforcement authority decides not to commence court proceedings against you).

Defence

7. You will have a complete defence against proceedings relating to the alleged offence if the infringement fee is paid to the enforcement authority at the address shown on the front page of this notice within 28 days after the service of a reminder notice in respect of the offence. Late payment or payment made to any other address will not constitute a defence to proceedings in respect of the alleged offence.
8.
 - (1) This paragraph describes a defence additional to the one described in paragraph 7. This defence is available if you are charged with an infringement offence against any of sections 9, 12, 13, 14, and 15 of the Resource Management Act 1991.
 - (2) You must prove either of the following to have the defence:
 - (a) that—
 - (i) the action or event to which the infringement notice relates was necessary for the purposes of saving or protecting life or health, or preventing serious damage to property, or avoiding an actual or likely adverse effect on the environment; and
 - (ii) your conduct was reasonable in the circumstances; and
 - (iii) you adequately mitigated or remedied the effects of the action or event after it occurred; or
 - (b) that—
 - (i) the action or event to which the infringement notice relates was due to an event beyond your control, including natural disaster, mechanical failure, or sabotage; and
 - (ii) you could not reasonably have foreseen or provided against the action or event; and
 - (iii) you adequately mitigated or remedied the effects of the action or event after it occurred.
 - (3) Subparagraph (2) does not apply unless—
 - (a) you deliver a written notice to the enforcement agency; and

- (b) in the notice, you—
 - (i) state that you intend to rely on subparagraph (2)(a) or (b); and
 - (ii) specify the facts that support your reliance on subparagraph (2)(a) or (b); and
- (c) you deliver the notice—
 - (i) within 7 days after you receive the infringement notice; or
 - (ii) within a longer period allowed by a District Court.
- (4) If you do not comply with subparagraph (3), you may ask the District Court to give you leave to rely on subparagraph (2)(a) or (b).

8A (1) This paragraph describes a defence additional to those described in paragraphs 7 and 8. This defence is available if—

- (a) you are—
 - (i) a principal; or
 - (ii) an employer; or
 - (iii) the owner of a ship; and
- (b) you may be liable for an offence alleged to have been committed by—
 - (i) your agent; or
 - (ii) your employee; or
 - (iii) the person in charge of your ship.

(2) If you are a natural person, including a partner in a firm, you must prove either of the following to have the defence:

- (a) that you—
 - (i) did not know, and could not reasonably be expected to have known, that the offence was to be, or was being, committed; and
 - (ii) took all reasonable steps to remedy any effects of the act or omission giving rise to the offence; or
- (b) that you took all reasonable steps to—
 - (i) prevent the commission of the offence; and
 - (ii) remedy any effects of the act or omission giving rise to the offence.

(3) If you are a not a natural person (for example, you are a body corporate), you must prove either of the following to have the defence:

- (a) that—
 - (i) neither the directors (if any) nor any person involved in your management knew, or could reasonably be expected to have known, that the offence was to be, or was being, committed; and
 - (ii) you took all reasonable steps to remedy any effects of the act or omission giving rise to the offence; or
- (b) that you took all reasonable steps to—
 - (i) prevent the commission of the offence; and
 - (ii) remedy any effects of the act or omission giving rise to the offence.

8B (1) This paragraph describes a defence additional to the defences described in paragraphs 7, 8, and 8A. This defence is available if you are charged with an infringement offence against section 15A(1)(a) of the Resource Management Act 1991 (relating to dumping waste or other matter in the coastal marine area from a ship, aircraft, or offshore installation).

(2) In order to have the defence, you must prove all of the following in relation to the act or omission that is alleged to constitute the offence:

- (a) that the act or omission was necessary—
 - (i) to save or prevent danger to human life; or
 - (ii) to avert a serious threat to any ship, aircraft, or offshore installation; or
 - (iii) in the case of *force majeure* caused by stress of weather, to secure the safety of any ship, aircraft, or offshore installation; and
- (b) that the act or omission was a reasonable step to take in all the circumstances; and
- (c) that the act or omission was likely to result in less damage than would otherwise have occurred; and
- (d) that the act or omission was taken or omitted in such a way that the likelihood of damage to human or marine life was minimised.

8C (1) This paragraph describes a defence additional to the defences described in paragraphs 7, 8, 8A, and 8B. This defence is available if you are charged with an infringement offence against section 15B(1) or (2) of the Resource Management Act 1991 (relating to certain discharges of a harmful substance, a contaminant, or water in the coastal marine area from a ship or offshore installation).

(2) You must prove either of the following to have the defence:

- (a) that the harmful substance, contaminant, or water was discharged for the purpose of securing the safety of a ship or an offshore installation, or for the

purpose of saving life and that the discharge was a reasonable step to effect that purpose; or

- (b) that the harmful substance, contaminant, or water escaped as a consequence of damage to a ship or its equipment or to an offshore installation or its equipment, and—
 - (i) such damage occurred without your negligence or deliberate act; and
 - (ii) as soon as practicable after that damage occurred, all reasonable steps were taken to prevent the escape of the harmful substance, contaminant, or water or, if any such escape could not be prevented, to minimise any escape.

Queries/correspondence

9. When writing or making payment of an infringement fee, please indicate -

- (a) The date of the infringement offence; AND
- (b) The infringement notice number; AND
- (c) The identifying number of each alleged offence and the course of action you are taking in respect of it (if this notice sets out more than 1 offence and you are not paying all the infringement fees for all the alleged offences); AND
- (d) Your address for replies (if you are not paying all the infringement fees for all the alleged offences).

Full details of your rights and obligations are set out in sections 341 to 343D of the Resource Management Act 1991 and section 21 of the Summary Proceedings Act 1957.

Note: all payments, all queries, and all correspondence regarding this infringement must be directed to the enforcement authority at the address shown.

GST No: 039-344-939
NZBN: 9429041903285
Phone: 04 384 5708
Email: accounts@gw.govt.nz

International Waste Limited
PO Box 53099
Auckland 2150
New Zealand

Debtor No: 20842
Invoice No: 108653
Invoice Date: 10/02/2023
Due Date: 10/03/2023

Page : 1 of 1

<i>Description</i>	<i>Exclusive GST</i>	<i>GST</i>	<i>Amount</i>
Infringement notices WGN110357	1,000.00		1,000.00
Infringement notice relating to 12.01/23 incident			
	Amount (excl GST)		1,000.00
	GST		0.00
	Amount due		1,000.00

Electronic Payment to be made to Bank Account 06-0582-0104781-00

Please state our Debtor No. in the code field and Invoice No. in the reference field
Remittances to be emailed to accounts@gw.govt.nz

GST No: 039-344-939
 NZBN: 9429041903285
 Phone: 04 384 5708
 Email: accounts@gw.govt.nz

International Waste Limited
 PO Box 53099
 Auckland 2150
 New Zealand

Debtor No: 20842
Invoice No: 108654
Invoice Date: 10/02/2023
Due Date: 20/03/2023

Page : 1 of 1

<i>Description</i>	<i>Exclusive GST</i>	<i>GST</i>	<i>Amount</i>
Cost Recovery on Infringement notices WGN110357	270.00	40.50	310.50
Cost recovery for 2 hours RA time investigating non-compliance			
	Amount (excl GST)		270.00
	GST		40.50
	Amount due		310.50

Electronic Payment to be made to Bank Account 06-0582-0104781-00

Please state our Debtor No. in the code field and Invoice No. in the reference field
 Remittances to be emailed to accounts@gw.govt.nz

From: [Valentin Czibesz](#)
To: [Emily McDowall](#)
Cc: [Blair Chalmers](#); [Nigel Priest](#)
Subject: Response
Date: Wednesday, 1 February 2023 5:02:18 pm
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.png](#)
[image005.png](#)
[Investigation leter response Jan 23.docx](#)

Hi Emily, please see attachment for our response to the please explain letter. I would like to let you know that we are doing everything in our power to prevent something like this from happening again. Tomorrow I am planning a special toolbox meeting to make sure all our staff members are on board with all the changes we made.

REGARDS
VALENTIN CZIBESZ
WELLINGTON OPERATIONS MANAGER



International Waste Ltd
M: +64 21 468 794 | D: +64 4 237 6982 | F: +64 4 237 4695
www.interwaste.co.nz



From: Emily McDowall <xxxxx.xxxxxxxx@xx.xxxx.xx>
Sent: Wednesday, February 1, 2023 1:50 PM
To: Blair Chalmers <xxxxx@xxxxxxxxxx.xx.xx>; Valentin Czibesz <valentin@interwaste.co.nz>
Subject: Ops Manual?

Hi Blair, Val,
Any progress on the Ops Manual? Thanks.
Also double checking no response has been sent to GWRC regarding my Please Explain letter re. the recent odour incident?
Kind regards, Emily

makaurangi



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

021 191 9689

100 Cuba Street, Wellington

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Please note that my usual days of work are Wednesdays, Thursdays and Fridays.

ATTENTION: This correspondence is confidential and intended for the named recipient(s) only. If you are not the named recipient and receive this correspondence in error, you must not copy, distribute or take any action in reliance on it and you should delete it from your system and notify the sender immediately. Unless otherwise stated, any views or opinions expressed are solely those of the author, and do not represent those of the organisation.

From: [Emily McDowall](#)
To: [Valentin Czibesz](#)
Cc: [Nigel Priest](#)
Subject: Invoices relating to infringement notice
Date: Friday, 10 February 2023 1:15:00 pm
Attachments: [Interwaste Invoice 108653.pdf](#)
[Interwaste Invoice 108654.pdf](#)
[image001.png](#)

Kia ora Val,

Please find attached the 2x invoices relating to the infringement notice for the 12 January incident.

Ngā mihi, Emily



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

021 191 9689

100 Cuba Street, Wellington

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Please note that my usual days of work are Wednesdays, Thursdays and Fridays.

From: [Emily McDowall](#)
To: [Blair Chalmers](#); [Valentin Czibesz](#); [Nigel Priest](#)
Subject: Just heading down to carpark and then on my way
Date: Friday, 10 February 2023 10:11:00 am
Attachments: [image001.png](#)



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

021 191 9689

100 Cuba Street, Wellington

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Please note that my usual days of work are Wednesdays, Thursdays and Fridays.

FILE NOTE

DATE 30 November 2022
AUTHOR Emily McDowall
SUBJECT Meeting with Blair Chalmers, Interwaste
FILE NUMBER WGN110357

At 11am on Wednesday 30 November 2022, [REDACTED] and I (Resource Advisor, Environmental Regulation) met with Blair Chalmers (Central Regional Manager, International Waste Limited – Interwaste). Our conversation covered the following:

GWRC expectations of Interwaste

- All waste should be stored inside the factory, as per the application document. The exceptions are:
 - Cytotoxic waste awaiting shipment to Australia.
 - Waste stored in refrigerated shipping containers.
 - Waste which has recently been delivered to Interwaste or which is about to be taken to landfill. (This waste should only be left outside for very short periods of time.)
 - In the event of an extended plant shutdown – Blair has supplied GWRC with documentation relating to the plant’s contingency measures in these instances.
- The roller doors should be prompted closed, within 10 mins maximum, as per the consent conditions. GWRC is aware of times when the doors have been open for lengths of time exceeding 10 mins, but we have not yet detected offensive or objectionable discharges.

Consent-related points of discussion

- Interwaste intends to apply for a consent renewal at this location. We explained that preparations should be made for this application well in advance and that the application must be received at least six months before the existing consent expires.
- We stated that we would most likely require emissions testing results to be provided with the new assessment of environmental effects (AEE) to assure us that odour was the only contaminant requiring consent, or to properly analyse and consent any additional contaminants. The AEE would be reviewed by an air discharge expert for GWRC.

- We emphasised that a section 127 change of conditions application should be sought for any practices which diverge from the application and its associated documents. An area where current practice may diverge from what was envisaged in the application is the storage of animal carcasses longer than one day. At present these carcasses are stored inside the factory in bins before being disposed of at landfill twice weekly. However, the application document suggests this waste should be stored in a refrigerated container if it is on the premises for longer than 24 hours. Blair is going to discuss this further with the Interwaste directors.

Interwaste updates

Blair provided some site updates.

- In response to the aggressive behaviour shown by Vape Canyon employees, the Interwaste directors have asked that Wellington staff do not engage with the neighbours at present. Interwaste staff are consequently not currently taking phone calls from Vape Canyon.
- Blair has received a quote for installing automatic door alarms (for both roller doors).
- The western roller door is scheduled to be repaired by early February.
- Interwaste is considering purchasing a new refrigerated shipping container, given that it would be uneconomic to repair the current shipping container which broke seven years ago.
- Interwaste is also considering spraying the trade waste septic tanks with a deodoriser.

Responses to questions

Blair also provided some clarifications to questions which I asked about the site:

- There is a Standard Operating Procedure (SOP) for processing waste containing formaldehyde. Where it is known that waste contains formaldehyde, this waste should have been placed by Interwaste's clients in a red bin with a yellow lid. This waste is processed at the beginning or end of the day so that staff can either wear respirators or exit the building. Interwaste may receive waste that clients have contaminated with formaldehyde. When this waste is processed through the autoclave, fumes may be discharged for 10-15 minutes.
- Blair maintained that the autoclave does not require a cooling-down period. The previous autoclave (used at the former Seaview plant) could not be opened until it had cooled down, whereas this machine has no such automatic cooling function: the machine's cycle finishes once it has depressurised. The processed waste is hot because it has been heat-treated at 140 degrees Celsius. Waiting for the waste to cool down before proceeding to the next load would not be viable given the volumes of waste received. It could also result in the need to extend operating hours into the night. Processed waste is put into the back of trucks which

are parked inside the factory. The reason steaming skips were placed on the boundary in the video footage uploaded to YouTube was due to there being no room for trucks to park inside the factory at this time. Blair is aware that this processed waste should be kept inside the factory. I asked whether trucks would be parked in the building overnight (given that Spicer Landfill only accepts waste deliveries until 4pm) and Blair confirmed that this was the case.

- Blair considered that the annual emptying of the trade waste sump by a sucker truck could contribute to odour discharges. I asked if perhaps the sump needs to be cleared more regularly. Blair noted that Interwaste had made the decision to undertake this activity annually with a view to reducing odours for the neighbours given the process is smelly.
- Blair also noted that after a period of not operating the autoclaves for several days, he noticed an odour emanating from the trade waste sump system. He speculated that the odour was stronger on this occasion due to the lack of liquids from the steam-sterilising process to dilute it.
- Blair explained that solids are collected in Interwaste's three-tank trade waste system (to be cleared annually), whereas liquids are constantly discharged into the sewer system. The site's trade waste system includes a non-return valve which closes off discharges when the street sewer system is overloaded. This happens in heavy rain events as Spicer Landfill's leachate discharge combined with stormwater entering the sewage system causes the sewer line to reach capacity. Interwaste generates high volumes of trade waste given that the autoclave technology is based on steam-sterilisation. Interwaste's tanks fill up within a few hours in a heavy rain event. Interwaste has needed to phone Spicer Landfill in the past to ask them to pause their landfill discharge so that Interwaste can first clear their wastewater discharge. I asked Blair whether there have been any discharges from the site in heavy rainfall events and he told me that discharges have been confined to the Interwaste property.

The meeting concluded at midday.

Odour Complaint Investigation Report

- **Complaint content:**

Complaint Recorded GWC - "...Throughout the day a 2/6 to 4/6 smell that is reminiscent of a public toilet that hasn't been cleaned.

The smell increased to a 6/6 that is reminiscent of medical waste being processed, a chemical smell that is indescribable..."

- **Atmospheric data (Wind direction/Speed, precipitation):**

Record during site inspections (2:00pm)

- Wind Direction: 122°/ESE
- Wind Speed: 4 Knots

Wind reports from Tuesday, February 14, 2023

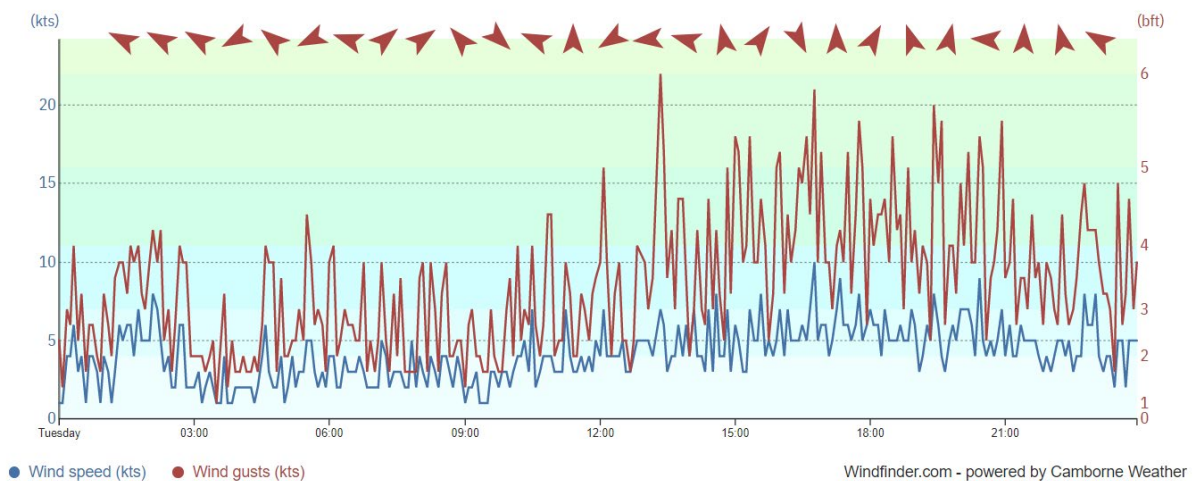


Figure 1 Data Extracted from Realtime wind Website

- **Site Odour control inspection notes:**

13/01/2023	Val	W	Normal	Normal	Normal	Normal	Complaint Recorded GWC - "...Throughout the day a 2/6 to 4/6 smell that is reminiscent of a public toilet that hasn't been cleaned. The smell increased to a 6/6 that is reminiscent of medical waste being processed, a chemical smell that is indescribable..."
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Figure 2 Data extracted from Odour Daily Check

- **Site Activities (Waste processed – Volumes/class):**

PRODUCTION					
KG received at site - Quarantine		241	1,222	342	407
KG received at site - Medical		1,029	5,028	2,233	2,760
Waste receipts requiring autoclave treatment		1,270	6,250	2,575	3,167
Quarantine waste processed					
Medical waste processed		5,340	8,140	4,020	2,340
TOTAL Q&M processed		5,340	8,140	4,020	2,340

Figure 3 Data captured from Waste records 14/02/2023

Manager's Remarks:

On Monday 13/02/2023 we have been processing some quarantine food waste coming from a cruise ship and by Tuesday morning, it caused a faint smell around the sump area. As a precautionary measure we have sprayed deodorizer in our drains and sump as soon as the faint odour was.

On Tuesday 14/02/2023 morning, we had a scheduled maintenance process to address the damaged cladding above the second roller door with a scissor lift. As a result, the door was open for 8 minutes. Before we closed the door, one of the neighbours yelled at our staff members to shut the door (actual language used was abusive). At that time, there was no smell detected anywhere around the building.

Overall, we didn't have large quantities of waste come in, and our operators have been asked to use the Pleasant Pluss deodorizer spray when they detect any strong odours.

- **Proactive Odour control actions in place:**

As a precautionary measure Pleasant Plus concentrate deodoriser liquid (A1 Chemicals) has been added to all autoclave cycles.

- **Remediation action taken (if applicable)**

Not applicable.

Nigel Priest

National Operations Manager

17.02.2023

Date and Time	Ozone no.	Description
25.10.22 at 8.33am	23179	"Interwaste is breaching their consent once again and appears to be on purposely stinking us out after exposing them publicly in a fit of rage. On purposely exposing my staff to these toxic chemicals in retaliation is infact a criminal act and not just a mere breach of consent. It smells like absolute shit, far worse than sewage and we've had to close our store, shut all the doors and windows. I have attached a photo that shows a vehicle cleaning out their sump. [...]"
8.11.22 at 1.40pm	23262	Offensive odour coming from Interwaste in Porirua. Smells like: - Hazardous fire waste/sewage Scale 1 - 6: - 4 First started smelling: - 1:00pm Smelt from: - 10/1 broken hill road. Coming from: - Interwaste
8.11.22 at 1.50pm	23265	Customer said Interwaste in Brokenhill Rd, Kenepuru odour is 10/10 causing him to dry-reach outside of his property. He can see one of Management coming outside of Interwaste building.
8.11.22 at 12.18pm	23260	contact is complainining about an odour from Interwaste processing plant next door to his business. He describes it as burning medical/chemical waste. It is s 6/6 in strength and is emanting from an open door. At the time of the call it had been going on for 20 minutes. Other than the smell there is no reported hazard on accessing the property
9.11.22 at 8.28am	23271	Yesterday me and my staff had to lock ourselves inside because of Interwaste breaching their Discharge To Air consent. It smelt like processed medical waste and ass.
10.11.22 at 10.47am	23279	Caller would like to report a statutory nuisance. Noticed a carcinogenic odour from Interwaste at about 10am. Still going when the call ended.
10.11.22 at 11.10am	N/A	the smell is still there and it is a 6 out of 6 and feels nauseous and has blurry vision.
10.11.22 at 12.55pm	23282	The caller said that there is a bad smell coming from Interwaste on Broken Hill Road. The caller said that they're breaching their contract if he's smelling it. The caller said that it's around a 6/6.
10.11.22 at 1.08pm	23283	Interwaste smell 6/6
10.11.22 at 3.10pm	23285	The caller said that Interwaste on Broken Hill Road is smelling very bad again.6/6 at the moment.
10.11.22 at 3.26pm	23287	12 Broken hill road Interwaste 6/6. Metallic/plastic smell sewage. Smell is so dense it causing issue unable to breathe.
10.11.22 at 4.08pm	23288	First started smelling: - 11:00am offensive odour coming from Interwaste Porirua
14.11.22 at 5.18pm	23312	Interwaste, 12 Brokenhill Rd, Kenepuru Odour like raw sewage is 6/6 now
17.11.22 at 9.59am	N/A	My warehouse right now is being filled up with the smell of infectious waste. It is like the most rancid ass you've ever smelt. 5/6

20 January 2023

File No: WGN110357

12 Broken Hill Road

Kenepuru

Porirua 5022

Via email: valentin@interwaste.co.nz

Attn: Valentin Czibesz

Wellington Office
100 Cuba Street
Te Aro, Wellington 6011
PO Box 11646
Manners Street
Wellington 6142
T 04 384 5708
F 04 385 6960
www.gw.govt.nz

Dear Valentin

Request for an explanation in relation to an investigation into objectionable odour beyond Interwaste boundary on 12 January 2023

The purpose of this letter is to seek your explanation of events around the discharge of odour to air that occurred on 12 January 2023 and to provide you with the opportunity to clarify the information which I hold. You have received this letter because you are the Wellington Operations Manager at International Waste New Zealand (Interwaste), the business from which the odour emanated.

Greater Wellington Regional Council (Greater Wellington) is responsible for responding to and investigating environmental incidents to determine what actions are required to remedy or mitigate the effects, as well as determining if enforcement action is appropriate under the circumstances.

Incident summary

On 12 January 2023, at 11.34am, Greater Wellington received a notification of odour (Ozone no. 23672) allegedly emanating from Interwaste. When the rostered enforcement officer spoke to the notifier, the notifiers described the smell as “a strong and disgusting toxic waste smell” which had lasted intermittently for between one minute and a few minutes at a time.

Around 12.30pm, the officer conducted a site visit. Standing beyond the Interwaste site boundary, the officer detected a strong, unpleasant odour. He conducted an odour assessment from 12:34-12:44pm, describing the odour overall as a “fleshy smell covered in bleach”. Some of his notes across the ten minutes rate the smell as 4-6/6 at times and describe the smell as being “thick, heavy, noxiously bad, [like] vomit / off meat / chemical[s] / faeces” and “like bleach over dead meat.”

The officer found the odour to be objectionable, even in periods of short duration.

110357-7-198

Across the 10min odour assessment, the officer recorded the movement of trucks leaving and arriving. The officer experienced the odour to be much stronger when the Interwaste roller doors were opened, even though the doors were only ever open for short periods (between 30 seconds and 2 minutes). The odour also stagnated for a period after the doors were shut.

The wind was southerly and 34 kph, it was cloudy and the temperature was 16 °C.

Offence

This discharge of odour contravenes section 15(1)(c) of the RMA which states that:

no person may discharge any contaminant [...] from any industrial or trade premises into air [...] unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

This discharge is not expressly allowed by a national environmental standard, a rule in a regional plan or a resource consent. Interwaste's resource consent WGN110357 [34191] allows Interwaste to produce odour beyond its boundary, but under condition 6:

there shall be no discharges to air that are, in the opinion of an enforcement officer of the Wellington Regional Council, noxious, dangerous, offensive or objectionable at or beyond the legal boundary of the property from which the consent holder operates.

Information request

The observations above provide a summary of the information I have. Before we decide on any actions and/or outcomes, I invite you to provide me, by **Tuesday 31 January 2023**, with a written explanation of the events surrounding this incident and any other information you consider relevant.

To assist you with this I have listed some questions below:

1. Who directed the discharge and who undertook the discharge?
2. What do you consider caused the discharge? You have informed us that empty skips may have been brought back from the landfill to Interwaste at 12-12:30pm. This does not align with the information we hold, given the timing of the original notification. Please discuss with operational staff and provide GWRC with copies of all waste documentation for 12 January 2023.
3. What measures will be put in place (and by what date) to ensure that such an objectionable discharge does not occur again?

If I have not heard from you by **Tuesday 31 January 2023**, I will conclude my enquiries without any further contact with you and a decision in respect of the outcomes will be made, which may include

enforcement action. I will advise you of the outcome of my investigation at that time. You should also be aware that the information that you provide may be used in evidence against you, therefore you may wish to seek legal advice before responding.

Please be aware that the Greater Wellington Regional Council has a responsibility to enforce the RMA. Failure to comply with the RMA may result in enforcement action including formal warnings, infringement notices or prosecution. More information on potential penalties is available online at <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM239042.html> and <http://www.legislation.govt.nz/regulation/public/1999/0359/latest/whole.html#DLM300060>

If you have any questions about this matter, please do not hesitate to contact me by emailing emily.mcdowall@gw.govt.nz or calling me on 021-191-9689 (Wednesdays to Fridays).

Yours sincerely



Emily McDowall
Resource Advisor
For Manager, Environmental Regulation

From: [Emily McDowall](#)
To: [Blair Chalmers](#)
Subject: Re: Information about OIA
Date: Wednesday, 19 October 2022 8:23:58 am
Attachments: [image003.jpg](#)
[image004.jpg](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Perfect, thanks Blair. We haven't fully decided about the Ops Manual but will react those staff names in the minutes, if that document is released. Thanks for your response, Emily

Get [Outlook for iOS](#)

From: Blair Chalmers <xxxxx@xxxxxxxxxx.xx.xx>
Sent: Monday, October 17, 2022 6:00:04 PM
To: Emily McDowall <xxxxx.xxxxxxxx@xx.xxxx.xx>
Subject: RE: Information about OIA

Good afternoon, Emily

I have looked through all the attached documents and the only request is to redact all our staff's names on the last attachment (this is the toolbox meeting notes I sent you recently). We have concerns for staff safety because of comments and communications sent by the neighbours (hence the trespass notice), having all our staff's full names listed does concern me.

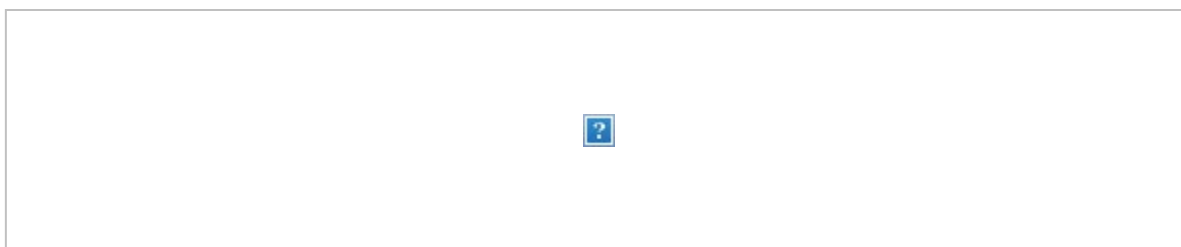
Everything else looks fine.

Cheers

BLAIR CHALMERS
CENTRAL REGIONAL MANAGER



International Waste Ltd
M: +64 21 727 138 | D: +64 4 237 9687 | F: +64 4 237 4695
www.interwaste.co.nz



From: Emily McDowall <xxxxx.xxxxxxxx@xx.xxxx.xx>
Sent: Monday, 17 October 2022 4:47 pm
To: Blair Chalmers <xxxxx@xxxxxxxxxxx.xx.xx>
Subject: FW: Information about OIA

Hi Blair,

A reminder to let me know any comments and their justification (additional to your comment on the Ops Manual) by COP tomorrow, Tuesday, but preferably earlier given we need to get the documents ready for release on Friday. The documents as mentioned are saved to the One Drive folder linked below.

Thanks, Emily

From: Emily McDowall
Sent: Friday, 14 October 2022 1:42 pm
To: Blair Chalmers <xxxxx@xxxxxxxxxxx.xx.xx>
Subject: FW: Information about OIA

That should say 7(2)(a) for privacy of natural persons

From: Emily McDowall
Sent: Friday, 14 October 2022 1:34 pm
To: Blair Chalmers <xxxxx@xxxxxxxxxxx.xx.xx>
Subject: Information about OIA

Hello Blair,


This is the webpage where OIAs are proactively released by GWRC:

[Greater Wellington Regional Council — Official information requests \(gw.govt.nz\)](#)

We have not decided yet whether this OIA would be proactively released, I need to read through our GW guideline and discuss.

In any case, proceed on the basis that the information may be distributed further than to the requestor alone.

I am saving example documents into this One Drive folder as I go, I have just started – keep checking back.

 [Interwaste example OIA docs](#)

Please note I am doing this as a courtesy – I will take Interwaste's comments into consideration but the decision-making lies with GWRC under LGOIMA.

I don't have time to save all the documents but I will save a selection. The documents include

- Email correspondence
- Interwaste annual reports
- Biofilter reports
- Ops manual as mentioned and hygienist report

File names refer to s 7(2)(b) of the Act – privacy of natural persons, and s (7)(2)(b)(ii) prejudicing the commercial position of the subject of the information.

Section 7 is available here: [Local Government Official Information and Meetings Act 1987 No 174 \(as at 12 April 2022\), Public Act 7 Other reasons for withholding official information – New Zealand Legislation](#)

Section 6 [Local Government Official Information and Meetings Act 1987 No 174 \(as at 12 April 2022\), Public Act 6 Conclusive reasons for withholding official information – New Zealand Legislation](#) includes endangering the safety of any person

The information which is **highlighted in yellow** is information which we propose to redact, for the grounds specified in the file name (this will be pulled into a table).

If Interwaste has any concerns, you need to let me know the grounds of the OIA which is relevant – and why, AND why the public interest test is not met: s 7(1).

Or why you believe the information is not within scope of the request (wording provided in previous email).

Please keep checking back to the folder.

Kind regards,
Emily



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

021 191 9689

100 Cuba Street, Wellington

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Please note that my usual days of work are Wednesdays, Thursdays and Fridays.

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From: [Nigel Priest](#)
To: [Emily McDowall](#)
Subject: RE: Notification received Tuesday 14 February WGN110357
Date: Friday, 17 February 2023 10:23:29 am
Attachments: [image002.jpg](#)
[image003.png](#)
[image004.png](#)
[Odour Complaint Investigation Report 14_02_23 updated \(002\).docx](#)

Hi Emily,

As discussed, updated response giving a bit more detail as to the events concerning the complaint as presented.

Cheers,

NIGEL PRIEST

NATIONAL OPERATIONS MANAGER

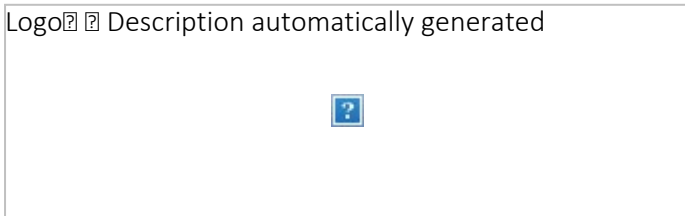


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www.interwaste.co.nz

Logo? ? Description automatically generated



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Please consider the environment before you print this e-mail.

From: Emily McDowall <Emily.McDowall@gw.govt.nz>
Sent: Wednesday, February 15, 2023 5:06 PM
To: Valentin Czibesz <valentin@interwaste.co.nz>
Cc: Nigel Priest <Nigel@interwaste.co.nz>
Subject: Notification received Tuesday 14 February WGN110357

Hello Val,

I received a notification about Interwaste yesterday. The notification was emailed to me and I don't work Tuesdays so only received this today.

This is an excerpt from the notification.

Throughout the day a 2/6 to 4/6 smell that is reminiscent of a public toilet that hasnt been cleaned

The smell increased to a 6/6 that is reminiscent of medical waste being processed, a chemical smell that is undescrivable

Please could you:

Record this on Interwaste's complaints register.

- Let me know (by this Friday 17th) what you consider might have caused the smell that the notifier describes.

Thanks, Emily



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

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From: [Emily McDowall](#)
To: [Blair Chalmers](#); [Valentin Czibesz](#)
Subject: RE: Ops Manual?
Date: Wednesday, 1 February 2023 2:02:00 pm
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Okay thanks

From: Blair Chalmers <xxxxx@xxxxxxxxxx.xx.xx>
Sent: Wednesday, 1 February 2023 2:01 pm
To: Emily McDowall <xxxxx.xxxxxxxx@xx.xxxx.xx>; Valentin Czibesz <xxxxxxxx@xxxxxxxxxx.xx.xx>
Subject: RE: Ops Manual?
Importance: High

Hi Emily

I am checking over the manual as we speak.

Will talk through the official letter response with Val this afternoon.

Cheers

BLAIR CHALMERS
CENTRAL REGIONAL MANAGER



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www.interwaste.co.nz



From: Emily McDowall <xxxxx.xxxxxxxx@xx.xxxx.xx>
Sent: Wednesday, 1 February 2023 1:50 pm
To: Blair Chalmers <xxxxx@xxxxxxxxxx.xx.xx>; Valentin Czibesz <xxxxxxxx@xxxxxxxxxx.xx.xx>

Subject: Ops Manual?

Hi Blair, Val,

Any progress on the Ops Manual? Thanks.

Also double checking no response has been sent to GWRC regarding my Please Explain letter re. the recent odour incident?

Kind regards, Emily



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

Greater Wellington Te Pane Matua Taiao

021 191 9689

100 Cuba Street, Wellington

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From: [Emily McDowall](#)
To: [Valentin Czibesz](#)
Cc: [Nigel Priest](#); [Blair Chalmers](#)
Subject: Recent notifications which I mentioned at today's meeting
Date: Friday, 10 February 2023 1:04:00 pm
Attachments: [image001.png](#)

Hi Val,

Thanks for the chat earlier. Please find below the recent notifications which I mentioned today. The first notification was actually from December, but I was only informed of that odour assessment recently.

Apologies for not having passed these on earlier.

14 December 2022 at 2.18pm

Transaction no. 23509, received 14 Dec 2022 at 02:18pm
Notifier: [removed]
Source Parcel:
TA: Porirua City Council
Details: The caller mentioned that there is formaldehyde smell coming from the medical waste from the Interwaste at broken hill road.

Our duty officer attended this incident and conducted a ten minute odour assessment. Odour was detected but not at a level considered offensive or objectionable.

Thursday 9 February 11.22am

Transaction no. 23898, received 09 Feb 2023 at 11:22am
Notifier: [removed]
Source Parcel:
TA: Porirua City Council
Details: [removed] building reeks inside because of the Medical Waste odour from Interwaste. He would give it a 4 out of 6. He has asked to log a statutory nuisance and asked for the trans number.

Thursday 9 February 5.27pm

Transaction no. 23907, received 09 Feb 2023 at 05:27pm
Notifier: [removed, different to the above notifier]
Source Parcel:
TA: Porirua City Council
Details: The caller reported that he had smells very bad from the Inmter waste wellington. The caller said the smell was like dead animal and melted plastic.
Contact details:
Address: [removed]

Our duty officer attended the site and conducted an odour assessment. Odour was detected but not at a level considered O or O.

Please ensure these three notifications are recorded on Interwaste's complaints register. And let me know if there were any abnormal operations yesterday.

Thanks, Emily

Emily McDowall
Resource Advisor Kaitohutohu – Environmental Regulation
Greater Wellington Te Pane Matua Taiao

makaurangi

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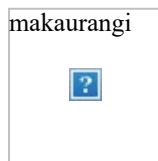
Please note that my usual days of work are Wednesdays, Thursdays and Fridays.

From: [Emily McDowall](#)
To: [Valentin Czibesz](#); [Nigel Priest](#)
Subject: Reminder notice for infringement notice
Date: Friday, 10 March 2023 1:14:00 pm
Attachments: [Infringement Notice I 888 Reminder Interwaste sent 10 March 2023.pdf](#)
[Interwaste Invoice 108654.pdf](#)
[Interwaste Invoice 108653.pdf](#)
[image001.png](#)
Importance: High

Hello Val and Nigel,

Please find attached a reminder notice about your infringement fee.

Regards, Emily



Emily McDowall

Resource Advisor Kaitohutohu – Environmental Regulation

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