206

HAZARDOUS SUBSTANCES

Legislative and other Controls in Western Australia

Department of Conservation and Environment,
Perth, Western Australia

Bulletin 206 August 1985

HAZARDOUS SUBSTANCES
LEGISLATIVE AND OTHER CONTROLS
IN
WESTERN AUSTRALIA

Prepared by Naomi Arrowsmith
for the
Western Australian Advisory
Committee on Chemicals

Department of Conservation and Environment
Perth, Western Australia

Bulletin 206

August 1985

Acknowledgements

Many people provided information, advice and critical comment during the preparation of this bulletin and their assistance is gratefully acknowledged:

Members of the Western Australian Advisory Committee on Chemicals and the Community Consultative Committee on Chemicals for information on chemical controls and comments on the text.

Ilona D'Souza and Digby Drake-Brockman for proof reading and editing, Brian Stewart who prepared the bulletin for publication and Margaret Parkinson for word processing.

In addition, officers from Government Departments too numerous to name, contributed valuable information and advice.

ISBN 0 7309 0474
ISSN 0156 2983

FOWARD

In Western Australia, the control and management of hazardous substances is a complex subject, due to the proliferation of legislation and committees with an involvement in this area.

This booklet has been prepared for those wishing to better understand the subject, and it is hoped that it will prove useful for the media, unions, industry, government and interested members of the community.

C F Porter
Chairman
WA Advisory Committee
on Chemicals

CONTENTS Page

Introduction

The term "hazardous substance" is one frequently used to describe any substance that has the potential to cause harm to man or the environment. This term is favoured to describe such substances as it encompasses not only chemicals, but goods not usually considered to be chemicals. Asbestos and other minerals are good examples of this. It is by virtue of a toxic, flammable, explosive, corrosive, radioactive, carcinogenic, mutagenic or teratogenic nature that these substances are hazardous or create a potential hazard. The hazard may be present during part or all of the life cycle of the substance, which includes manufacture, handling, transport, storage, use and disposal.

Hazardous substances play a large role in our present life style and concern has increased sharply in the past twenty years over the safety of many of the chemicals with which we have everyday contact. Whilst some commercially available hazardous substances can be used and disposed of without adverse effects, others pose serious health and environmental hazards. Unfortunately, these hazards are not always immediately obvious.

The extent of occupational exposure to many hazardous substances, the problems encountered by emergency service personnel when dealing with spillages or fires associated with them, the necessity of adequate and safe disposal facilities, and the environmental hazards associated with their ever-widening use, all point to the need for comprehensive control of hazardous substances through all stages of their life cycle.

In the past, control of hazardous substances has been fragmented and haphazard, with emphasis being placed on health effects to the detriment of the environment in many cases. Control began in Western Australia with legislation to regulate explosives, the widespread use and the obvious danger of which raised concern in Government and the community. Since this time, control has broadened to include comprehensive coverage of radioactive substances, therapeutic goods and to a lesser extent, poisons and pesticides. The latter two areas are regulated with respect to health concerns only.

The current world trend in the management of chemicals can be seen in recent Federal Government intiatives in this area. Several schemes have been established which provide for testing and assessment of hazardous substances before they are placed on the market. Such schemes currently exist for therapeutic substances, food additives, agricultural chemicals and veterinary products, and a further scheme is being developed which will incorporate all 'industrial chemicals'. These schemes ensure that potential problems associated with hazardous substances are identified before they are used and not after widespread damage has occured to human health and the environment.

The growing awareness of hazardous substances developing in trade unions and emergency services has resulted in the establishment of a number of data-banks of information detailing exposure hazards and emergency procedures for dealing with them. Further development of these information sources will help to ensure the correct and comprehensive management of chemicals.

This pamphlet sets out the existing legislative controls for hazardous substances in Western Australia and outlines non-legislative initiatives undertaken to assist in their management. Although the main control measures are described, a recent review of the areas of responsibility of Government bodies in WA indicates a far wider and extremely fragmented control. Some authorities control a very specific area, such as the Fremantle Port Authority which has the responsibility for substances whilst in storage on the wharf.

It is hoped that, by highlighting the existing control measures in this pamphlet, areas in need of control will be identified and future chemicals management programmes designed in accordance with these needs.

LEGISLATIVE CONTROLS IN WESTERN AUSTRALIA

1. EXPLOSIVES AND DANGEROUS GOODS ACT 1961

Administered by the Explosives and Dangerous Goods Division of the Department of Mines.

The most comprehensive control of 'industrial chemicals' in Western Australia is under the authority of the Explosives and Dangerous Goods Act 1961. The dangerous goods that can, in effect, be controlled under the Act are limitless. The Act itself regulates the authorisation, manufacture, importation and use of explosives and the classification, marking, storage, carriage and sale of explosives and dangerous goods. To date, three sets of regulations have been promulgated under the Act: the Explosives Regulations 1963, the Flammable Liquids Regulations 1967 and the Dangerous Goods (Road Transport) Regulations 1983.

Explosives Regulations 1963

The Explosives Regulations comprehensively control all aspects of the life cycle of explosives. They give the Director of the Explosives and Dangerous Goods Division the powers to examine applications and issue licences for the importation, manufacture, storage, sale, transport and use of explosives, to inspect premises where firing takes place, to investigate accidents involving explosives and to test and authorise explosives before they are used in this State.

Flammable Liquids Regulations 1967

The Flammable Liquids Regulations provide for general good practice in all situations where flammable liquids are stored (including underground tanks) or conveyed on road vehicles. They prescribe standards for the making, labelling and packaging of flammable liquids and make special provisions for the control of self service fuel pumps and the filling of motor vehicles. The regulations with regard to storage requirements, are intended to apply only to liquids in containers with a capacity above four litres and make no attempt to regulate the storage of small packages other than for labelling and marking requirements. All premises where flammable liquids are stored in bulk must be licensed and are inspected regularly to ensure that storage arrangements are in accordance with the licence and regulations.

Dangerous Good (Road Transport) Regulations 1983

In January 1984, the Dangerous Goods (Road Transport) Regulations came into operation as a result of five years' drafting and consideration of 250 submissions from industry. Essentially, the regulations adopt the recommendations of the Australian Code for the Transport of Dangerous Goods by Road and Rail and control the road

transport of all dangerous goods with the exception of explosives as these are stringently controlled under the Explosives Regulations. The regulations cover a variety of aspects of dangerous goods transport including the inspection and licensing of vehicles, the labelling of packages, the placarding of vehicles, the design and construction of vehicles and containers for dangerous goods, the provision of a $500 000 minimum accident indemnity and the stowage and segregation of incompatible goods. In addition, legislation has been passed to institute a programme for the training and licensing of drivers to ensure they have a reasonable knowledge of appropriate emergency procedures in the event of an accident.

2. HEALTH ACT 1911

Administered by the Health Department of WA
Statutory Committee: Pesticides Advisory Committee.

Pesticides (including those used in agriculture) are primarily controlled by the Pesticides Regulations promulgated in 1956 under the Health Act 1911. The Health Act is purely an enabling Act, providing for the establishment of the Pesticides Advisory Committee and the promulgation of regulations considered necessary for the protection of health in relation to pesticides. This limits the scope of regulations to matters concerning health, to the exclusion of agricultural and environmental effects. All power is contained in the Pesticides Regulations.

Pesticide Regulations 1956

The Pesticides Regulations require that all pesticides for proposed use or sale in Western Australia be registered, and they regulate the labelling and packaging of containers, and the general storage, advertising, manufacture, use and disposal of pesticides. They are unique in that they also provide for control of specific products (eg lindane, sodium fluoroacetate and some fumigants) as well as the licensing of fumigators, pest control businesses and pest control operators.

The Pesticides Advisory Committee considers applications for registration of pesticides in WA and approves labels, including amendments to labels, and packages. No application for registration is processed unless an appropriate clearance has been issued by the National Technical Committee on Agricultural Chemicals under the Australian Agricultural Council.

Food and Drug Regulations 1961

The Food and Drug Regulations 1961 control the use of preservatives, antioxidants, artificial sweeteners,

flavourings and colourings and other food additives, and specify standards for the labelling of these products, including date marking. In addition, the regulations specify minimum standards regarding the presence of contaminants in foodstuffs, including pesticides and heavy metals.

Toxic and Hazardous Substances Regulations 1968

The Toxic and Hazardous Substances Regulations are very specific in that they apply to only a few chemicals in certain areas of use.

Toxic and hazardous substances under the regulations are defined as lead, mercury, arsenic and cadmium and compounds of these and other specified metals, solvents, including benzene and dichloromethane, and other specified substances. The regulations control several specific uses of these compounds, including their use in paints and the use of methyl chloride in refrigeration equipment.

Health (Disposal of Asbestos Waste) Regulations 1984 and Health (Disposal of Liquid Waste) Regulations 1983

The Health (Disposal of Asbestos Waste) Regulations and the Health (Disposal of Liquid Waste) Regulations have been introduced in the last two years following growing concern over illegal or unsatisfactory dumping of waste, often including hazardous chemicals. The Regulations control the producer, transporter and depositer of the waste by allowing the Executive Director of Public Health to stipulate appropriate conditions and designate adequate disposal sites.

3. POISONS ACT 1964 - 1981

Administered by the Health Department of WA.
Statutory Committee: Poisons Advisory Committee.

The Poisons Act and Regulations are administered by the Pharmaceutical Services Branch of the Health Department of WA. The Poisons Act provides for the establishment of the Poisons Advisory Committee and regulates and controls the possession, sale and use of poisons. Under the Act, any person engaged in the manufacture, distribution, supply or sale by wholesale or retail of any poison must hold a licence and any person wishing to use a poison for industrial, educational, advisory or research purposes must have a permit and be fit and proper for such use. In addition, the Act designates who can prescribe the use, sale or supply of drugs of addiction.

Under the Poisons Act, toxic substances are classified into one of seven schedules (Schedules 1-4 and 6-8). Schedule 5 goods are classified as "hazardous substances". The eight schedules are based on the Uniform Poisons Standard Schedules published by the National Health and

Medical Research Council, and poisons are classified into one of the schedules by consideration of the manner or purpose of use, the supplied quantity, the packaging and labelling, and the physical or chemical state in which they are supplied.

The Poisons Advisory Committee makes recommendations on legislation to the Minister. Applications for licences or permits under the Act are considered by the Executive Director of Public Health.

Poisons Act Regulations 1965

The Regulations to the Act are mainly concerned with control of the labelling and packaging of poisons, including the use of warning statements and first aid measures, the storage of poisons and all aspects of the sale and dispensing of drugs of addiction.

4. RADIATION SAFETY ACT 1975

Administered by the Radiation Health Branch of the Health Department of WA.
Statutory Committee: Radiological Council.

Radioactive substances are currently controlled under the Radiation Safety Act which is administered by the Radiation Health Branch of the Health Department. The Act regulates the keeping and use of radioactive substances, irradiating apparatus and certain electronic products and requires persons using, storing and transporting substances to hold a licence. Owners of premises in which radioactive substances are present and owners of equipment containing radioactive sources are required to be registered with the Branch. The Act also establishes the Radiological Council which administers and advises on the licensing and registration schemes of the Act.

Two main sets of regulations have been made pursuant to this Act: the Radiation Safety (General) Regulations and the Radiation Safety (Transport of Radioactive Substances) Regulations.

Radiation Safety (General) Regulations 1983

The Radiation Safety (General) Regulations cover the labelling and storage of radioactive substances and call for certain uses to conform with codes of practice issued by the NH & MRC. These codes provide further requirements applicable to the storage of radioactive substances in the special areas of usage concerned. Inspectors visit premises where radioactive substances are used and stored and report to the Radiological Council. The Council expects that good codes of practice be observed and may call for procedures to be changed even where there are no breaches of the Regulations.

Radiation Safety (Transport of Radioactive Substances) Regulations 1982

The Radiation Safety (Transport of Radioactive Substances) Regulations require that when radioactive substances are transported, the persons concerned comply with the Commonwealth Code of Practice for the Safe Transport of Radioactive Substances 1982. The Regulations lay down stringent requirements for the packaging and labelling of substances for transport and precautions to be observed incidental to and during transport. In general, the consignor is responsible for the correct packaging and labelling of the consignment and for providing appropriate information to the carrier. It is the carrier's responsibility to ensure that radiation levels outside his vehicles and in the drivers' compartments do not exceed the limits specified in the Code. In addition, where the requirements of the Radiation Safety (Transport of Radioactive Substances) Regulations do not meet the safety requirements of the Dangerous Goods (Road Transport) Regulations 1983, then requirements of the latter regulations must be maintained.

5. FACTORIES AND SHOPS ACT 1963

Administered by the Department of Occupational Health, Safety and Welfare.
Statutory Committee: Occupational Health, Safety and Welfare.

The Department of Occupational Health, Safety and Welfare administers the Factories and Shops Act which has been traditionally used as a means of controlling health and safety in the workplace. At present there are eight sets of regulations made pursuant to the Factories and Shops Act which have some control of hazardous substances. Each set deals with a specific substance or process.

The Occupational Health, Safety and Welfare Commission is a further mechanism by which health and safety in the workplace can be monitored and controlled. It is a tripartite body and has a broad duty to investigate and make recommendations on all measures necessary to ensure the health and safety of workers.

Asbestos Regulations 1985

The Asbestos Regulations control the use of asbestos in factories, shops and warehouses where asbestos may be present or handled. They place a duty on occupiers to provide an efficient exhaust system or personal protective devices to ensure no asbestos dust is inhaled, and make provisions for the cleaning of processing areas, the maintenance of exhaust and respiratory equipment and the storage and disposal of asbestos.

Electric Accumulator Regulations 1963

The Electric Accumulator Regulations apply to factories where lead is used for the manufacture of batteries and other electric accumulators. They provide for minimum standards of air space, ventilation, exhaust equipment and cleaning of protective clothing and place a duty on employees to take care when using lead materials especially with regard to food and clothing.

Factories (Lead Materials) Regulations 1971

In factories where lead processes take place, the Factories (Lead Materials) Regulations apply. They specify standards similar to these in the Electric Accumulator Regulations, and provide for the control of lead dust, exhaust systems, storage of lead, protective clothing, cleaning and hygiene.

Factories (Poisonous Substances) Regulations 1932

The Factories (Poisonous Substances) Regulations relate to the use of arsenic and lead in factories and again provide for similar controls to those of the Electric Accumulator and Lead Materials Regulations.

Polyurethane Industry Regulations 1977

Factories in which polyurethane manufacturing processes are conducted are subject to the Polyurethane Industry Regulations. These control the use of isocyanates and polyhydroxy compounds used in such processes and specifically control the use of toluene di-isocyanate. The Regulations control the standards of factory construction the provision of protective equipment, the handling and storage of isocyanates, the curing of polyurethane foam, and employee hygiene and training.

Fibreglass Industry Regulations 1932

The Fibreglass Industry Regulations apply to fibreglass manufacturing facilities involving the reaction of resins with a catalyst. They make provisions relating to the use of 'promoters' and solvents, and generally provide for similar measures to those of the Polyurethane Industry Regulations.

Abrasive Blasting Regulations 1977

Processes involving abrasive blasting within a factory, using sand, metal or any other material are controlled by the Abrasive Blasting Regulations. They stipulate standards for factory construction, the conduct of medical examinations and the prevention of general air pollution. In addition, the provision of adequate personal protective equipment is required. Controls on the abrasive blasting industry are also exercised under the Clean Air Act.

Welding and Cutting Regulations 1962

The Welding and Cutting Regulations emphasize the need for safe practices in welding with the main thrust being in the use of oxy-acetylene, electric arc and resistance welding. Ventilation and personal protective equipment are prescribed, with special precautionary provisions for the welding of lead and cadmium.

The Department of Occupational Health, Safety and Welfare has further responsibility in the control of toxic substances by the administration of the Construction Safety Regulations 1973 of the Construction Safety Act. Part VIIA of the Regulations controls the use of and exposure to asbestos in construction work and calls for conformity with the relevant NH & MRC codes of practice.

6. OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984

Administered by the Department of Occupational Health, Safety and Welfare.
Statutory Body: Occupational Health, Safety and Welfare Commission.

The Occupational Health, Safety and Welfare Act 1984 recently received passage through Parliament. The scope and intent of the legislation is to promote and improve standards for occupational health, safety and welfare, to establish the Occupational Health, Safety and Welfare Commission and to facilitate and co-ordinate the administration of laws relating to occupational health, safety and welfare.

The legislation is purely enabling in that it provides for the establishment of the Commission, a tripartite body which will provide advice on all aspects of occupational health and safety. The Commission was established on 14 April 1985. The Department of Occupational Health, Safety and Welfare came into existence on 5 March 1985 and a transfer of responsibilities to this Department from other Government agencies (eg Health Department of WA, Department of Industrial Affairs) is progressively occuring.

The Act has provision for the creation of regulations prescribing all matters that are necessary or convenient for giving effect to the purpose of the Act. There are no plans for the gazettal of such regulations in the near future.

7. VETERINARY PREPARATIONS AND ANIMAL FEEDING STUFFS ACT 1976

Administered by the Department of Agriculture
Statutory Committee: Veterinary Preparations and Animal Feeding Stuffs Advisory Committee.

The Veterinary Preparations and Animal Feeding Stuffs Act and Regulations are administered by the Department of Agriculture. The Act itself controls and regulates the production, importation, treatment and preparation for sale, marketing, storage and sale of veterinary preparations and animal feeding stuffs (VP & AFS), and establishes the VP & AFS Advisory Committee. The Advisory Committee makes recommendations on all matters concerning VP & AFS and examines all applications for the registration of these goods. The Act also establishes the Registrar of VP & AFS who administers the registration of goods as required under the Act.

Veterinary Preparations and Animal Feeding Stuffs Regulations 1976

The VP & AFS Regulations are largely concerned with specifying standards for label information and the inclusion of warning statements on labels. They also prescribe the information to be included with applications for registration of products.

8. AERIAL SPRAYING CONTROL ACT 1966

Administered by the Department of Agriculture.

The Aerial Spraying Control Act 1966 controls the aerial spraying of agricultural chemicals. It requires pilots to hold a certificate issued by the Department of Agriculture, prevents spraying of certain chemicals in hazardous areas and requires owners of aircraft modified for aerial spraying to lodge a contract of insurance with the Director of Agriculture against liability of not less than $30,000 for loss of or damage to property and livestock. The Act also provides for inspection of aircraft and sprayed areas.

Aerial Spraying Control Regulations 1971

The Aerial Spraying Control Regulations were promulgated in 1971 and provide for examination of candidates for the Pilot Chemical Rating Certificate, prevent aerial spraying where it is expected to cause spray drift onto susceptible crops and prevent the spraying and transport of agricultural chemicals by air over hazardous areas (susceptible area as defined in the third schedule).

9. FERTILIZERS ACT 1977

Administered by the Department of Agriculture.

The production, marketing and sale of fertilizers is controlled by the Department of Agriculture under the authority of the Fertilizers Act 1977. The Act specifies who may sell fertilizers and gives inspectors the power to enter and inspect premises involved with the manufacture or storage of fertilizers. The Act also

establishes the Registrar of Fertilizers and requires that prior to any fertilizer being offered for sale in this State, the primary dealer must apply for registration of that fertilizer. Information to be provided with the registration application includes trade names, raw materials from which the fertilizer is prepared, and analysis details of specified ingredients.

Fertilizer Regulations 1978

The Regulations to the Act primarily deal with the classification of fertilizers according to their composition, and the information to be included on fertilizer containers. In addition, they specify the manner in which samples of fertilizers must be taken for analysis and the analytical methods to be followed.

10. AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976-1980

Administered by the Agriculture Protection Board

The Agriculture and Related Resources Protection Act 1976 - 1980 is principally designed to control and prevent the introduction and spread of declared plants and animals. Its relevance in the area of chemicals is that it provides for the creation of regulations to control the storage, use and transport of agricultural chemicals.

Agriculture and Related Resources Protection (Spray Restriction) Regulations 1979

One set of regulations promulgated under the Act is the Agriculture and Related Resources Protection (Spray Restriction) Regulations. These regulations are administered by the Department of Agriculture. The regulations prohibit the spraying of certain chemicals in designated areas unless approval has been obtained from the Director of Agriculture. The restricted chemicals include 2,4-D and 2,4,5-T.

11. AGRICULTURAL PRODUCE (CHEMICAL RESIDUES) ACT 1983

Administered by the Department of Agriculture

The Agricultural Produce (Chemical Residues) Act was created to deal with agricultural chemical residues in raw agricultural products. The Act aims to avoid the production of agricultural produce in which any residue is in excess of the maximum residue limit, and to prevent the use of such products for human or animal consumption.

Regulations to the Act are currently being prepared and will set maximum residue limits for agricultural chemicals in all produce. The Act will be proclaimed when the regulations have been completed.

OTHER CONTROLS AND INITIATIVES

12. THE WESTERN AUSTRALIAN ADVISORY COMMITTEE ON CHEMICALS AND THE COMMUNITY CONSULTATIVE COMMITTEE ON CHEMICALS

In November 1983, State Cabinet approved a joint submission from the Ministers for Industrial Relations and the Environment for the establishment of two non-statutory committees, the Western Australian Advisory Committee on Chemicals (WAACC) and the Community Consultative Committee on Chemicals (CCCC). The committees were formed as part of the State and Federal Governments' commitment to achieving greater protection for the public and the environment from the undesirable effects of dangerous or potentially hazardous chemicals.

WAACC

The WAACC is an interdepartmental government committee with representatives from the Departments of Health, Mines, Occupational Health, Safety and Welfare, Agriculture, Conservation and Environment, the Office of the Minister for Industrial Relations and the WA Fire Brigades Board. It advises the responsible Ministers on all matters relating to legislative control over hazardous chemicals with the aim of providing and promoting the protection of human health and the environment. In addition, the WAACC liaises with the relevant State and Federal bodies, in particular the Australian Environment Council's Advisory Committee on Chemicals in the Environment, the National Occupational Health and Safety Commission and the Western Australian Transport of Dangerous Goods Advisory Committee, so as to develop co-ordinated policies and avoid duplication.

CCCC

The CCCC is a broadly representative community committee with representation from the Royal Australian Chemical Institute, the Occupational Health Society of Australia, the Australian Consumers' Association, the Conservation Council of WA, the Trades and Labor Council, the Confederation of WA Industry, the Australian Chemical Industry Council and the Australian Chemical Specialties Manufacturers' Association. It acts as a forum for advice, liaison and exchange of views with industry, unions and other community organisations on the notification, assessment and control of hazardous chemicals in Western Australia.

Toxic Substances Legislation Sub-Committee

The Toxic Substances Legislation Sub-Committee has been established under the auspices of the WAACC. This Sub-Committee is undertaking an extensive review of existing Western Australian, interstate and overseas hazardous substances legislation with a view to

preparing proposals for amendments to the existing system of control in Western Australia and identifying the scope and form of a comprehensive model Toxic Substances Control Act.

Stored Chemicals Sub-Committee

The Stored Chemicals Sub-Committee, a Sub-Committee of the CCCC, was established in March 1984 to investigate the need for, and the scope of, procedures for the control of stored chemicals with due consideration to possible incompatibilities, adequate labelling, and suitable construction and location of stores and storage areas. The work of this Sub-Committee is now substantially complete and it is expected to release its final report, incorporating its recommendations, in the near future.

13. THE WESTERN AUSTRALIAN TRANSPORT OF DANGEROUS GOODS ADVISORY COMMITTEE

Another non-statutory committee having an involvement in the area of hazardous chemicals is the Western Australian Transport of Dangerous Goods Advisory Committee (WATDGAC). The Committee was established in 1981 and has, as regular members, representatives from the Transport Commission, the Explosives and Dangerous Goods Division of the Department of Mines, the WA Fire Brigades Board, the Police Department, the WA Road Transport Association, the State Emergency Service and a manufacturers' representative. In addition, members are co-opted from the Health Department of WA, the WA Port Authorities' Association, Westrail and the Commonwealth Department of Transport.

The aims of the Committee are to co-ordinate transport mode administration and policy development, to provide advice on the transport of dangerous goods, and to provide comprehensive input into the Australian Transport Advisory Council's Advisory Committee on the Transport of Dangerous Goods.

The WATDGAC has most recently been responsible for the establishment of the Western Australian Road Transport Emergency Assistance Scheme. Details of this scheme are given below (Section 14).

14. THE WESTERN AUSTRALIAN ROAD TRANSPORT EMERGENCY ASSISTANCE SCHEME

Late in 1984, the Road Transport Emergency Assistance Scheme (TEAS) was introduced as a result of extensive collaboration between both Government and Industry. The scheme, prepared by the Emergency Procedures Sub-Committee represents an important step in minimizing the dangers to the public and the environment from accidents involving dangerous goods.

The TEAS was established in response to the growing quantity of dangerous goods being transported in WA and the potential risks associated with accidents and other emergencies involving the spillage of dangerous goods. It was recognised that such emergencies require a specialised response not generally within the capability of any one particular organisation. Therefore, the scheme assigns primary responsibility to the emergency services, with support being provided by manufacturers, users and other organisations which have specialist knowledge.

The objectives of the scheme are:

- To prescribe the organisation, concepts, responsibilities and procedures for State Government Departments and agencies in handling road transport emergencies involving dangerous goods.

- To establish a basis for co-ordination between State Government Departments and agencies with elements of the private sector involved in the manufacture and/or transport of dangerous goods.

- To provide a basis for the provision and co-ordination of resources.

- To expedite the recovery of the community from the effects of such emergencies.

The concept of the scheme itself is based on the identification of dangerous goods through adequate marking and labelling of packages and vehicles, and the availability of a 24 hour contact facility with manufacturers and consignors for specialist advice and material support. Its essential provisions are embodied in the Dangerous Goods (Road Transport) Regulations 1983.

The scheme has been designed to assist those organisations with statutory responsibility in the event of an emergency and to promote a better understanding of the roles of other organisations. This will help to ensure that risks to life and property as a result of leakage or spillage of hazardous chemicals are minimal.

15. THE NATIONAL CHEMICALS NOTIFICATION AND ASSESSMENT SCHEME

In 1977, the Australian Environment Council, comprising Ministers responsible for environmental matters in each State, adopted a national action plan on environmentally hazardous chemicals which provided a basis for a comprehensive system for managing chemicals in Australia. At the core of the Plan is the establishment of a national chemicals notification and assessment scheme to provide a mechanism for evaluating new chemicals before they enter the market. This will enable potential hazards to people and the environment to be anticipated and will facilitate the application of appropriate control measures from the time of introduction of the chemical.

In October 1981, an interim notification and assessment scheme commenced for new industrial chemicals. By virtue of its voluntary nature, the interim scheme does not provide a satisfactory basis for a long term arrangement but it has been useful in acting as a pilot for the introduction of a mandatory scheme proposed for 1986. The development of the National Chemicals Notification and Assessment Scheme will bring Australia up to date with most other western industrialised nations.

In essence, the scheme will require importers and manufacturers to notify their intention to introduce new chemical substances. The notification is to be accompanied by a prescribed set of scientific and technical data needed for an assessment of the potential health and environmental hazards of the chemical. The assessment will address each aspect of the management and control of a chemical from its point of manufacture or importation, through to its eventual disposal. For chemicals already in use, those which are of greatest concern for health and environmental reasons will be identified, and manufacturers and importers may be required to provide information.

The scheme will complement existing arrangements for the assessment and clearance of therapeutic substances, agricultural chemicals and veterinary drugs. It represents an important step in the protection of the public and the environment from hazardous substances.

The new scheme in relation to industrial chemicals will be administered by the National Occupational Health and Safety Commission.

16. THE NATIONAL OCCUPATIONAL HEALTH AND SAFETY COMMISSION

The establishment of the National Occupational Health and Safety Commission on 11 October 1984 signals a new era in the co-ordination of efforts to make Australian workplaces safe and healthy. The primary role of the National Commission is to develop, facilitate and implement the Government's national occupational health and safety strategy which includes standards for development, research, training, information collection and dissemination, and the development of common approaches to occupational health and safety legislation.

In November 1983, the Government established a tripartite Interim Commission to advise on the most appropriate framework for developing and implementing a national strategy. The report of the Interim Commission, released in May 1984, recommended the establishment of the tripartite National Commission. The Commission was established in 1984 and is aided by the National Occupational Health and Safety Office, as its administrative support, and the National Institute of Occupational Health and Safety to provide technical and scientific support.

At the first meeting of the National Commission on 30 October 1984, hazardous chemicals were identified as one area having pressing health and safety problems in Australian workplaces. The Commission established the Chemicals Standing Committee with tripartite representation to address the needs of personnel working in the chemical industry. The Standing Committee is involved with the development of the National Chemicals Notification and Assessment Scheme now that this is the responsibility of the National Commission. Details of the Notification and Assessment Scheme are given in Section 15.

17. EMERGENCY INFORMATION SYSTEMS

Under the Western Australian Dangerous Goods (Road Transport) Regulations 1983, all road vehicles intended for the bulk transport of dangerous substances are required to be marked with Emergency Information Panels. The panels display information pertinent to emergency authorities should an accident or spillage occur. This includes the appropriate dangerous goods class label, the correct technical name of the substance, the UN identification number, the Hazchem emergency action code, the name and telephone number of the emergency service, and the name and telephone number of the company or organisation where specialist advice can be obtained.

Dangerous goods are classified into one of nine classes according to the predominant type of risk involved. These classes include explosives, flammable liquids, poisons and radioactive substances. Each class has a corresponding label which is displayed on vehicles and packages and is designed to make them easily recognisable at a distance.

The Hazchem Emergency Action Code advises emergency services on immediate first strike action in an emergency in order to minimize the effects of the spillage and the hazards to personnel. The Code consists of a numeral followed by one or more letters some of which may be displayed on a dark rectangle. The numeral indicates the equipment suitable for fire fighting, and where appropriate, for dispersal of spillages. The letters indicate whether there is a danger of violent reaction or explosion, the need for protective clothing and breathing apparatus and whether spills should be contained or diluted. When the letter E is added, emergency services should consider evacuation of people from the neighbourhood of an incident.

The Hazchem Code is well known to Australian fire services and emergency authorities and is fully explained and interpreted in the Australian Code for the Transport of Dangerous Goods.

18. THE INDUSTRIAL WASTE EXCHANGE

The Industrial Waste Exchange was set up in 1980 and operates through the Health Department's Waste Disposal Engineer. The Exchange aims to eliminate waste, to supply cheap raw materials and reduce costs, and to reduce energy consumption. The exchange lists waste products that may be suitable for use by other people. These products include wood, cloth and leather off-cuts, sawdust, compostable materials, wood and cardboard cartons, lime, char and coal dust. Materials constantly in demand from the Exchange are waste oil, paint thinners and waste plastic, paper and glass.

The Health Department has also recently arranged for a pesticides and toxic chemicals clearing house where unwanted small amounts of these products can be safely stored. The clearing house enables potential users to view the chemicals and allows the Health Department to select the appropriate disposal method if recycling is not possible. This arrangement will greatly improve the management of these products by using disposal techniques in the following order of preference:

- Recycling/Reuse
- Safe Destruction
- Secure Landfill

The Exchange encourages all people having a waste that could possibly be used by others to list it on the Exchange. The service is free, confidential and allows participants to decide where their waste goes.

USEFUL CONTACTS:

Information and Resources Section
Department of Occupational Health,
Safety and Welfare
Construction House
Havelock Street
WEST PERTH WA 6005 Ph: (09) 322 0331

Waste Disposal Engineer
Industrial Waste Exchange
Health Department of WA
Stirling Street
PERTH WA 6000 Ph: (09) 328 0241

Dept of Conservation & Environment
BP House
1 Mount Street
PERTH WA 6000 Ph: (09) 322 2477

Pesticides Co-ordinator
Department of Agriculture
Jarrah Road
SOUTH PERTH WA 6151 Ph: (09) 367 2242

Explosives and Dangerous Goods Division
Department of Mines
10 Victoria Avenue
PERTH WA 6000 Ph: (09) 325 9966

Government Chemical Laboratories
125 Hay Street
PERTH WA 6000 Ph: (09) 325 5544

EDUCATIONAL RESOURCES:

Department of Environmental Health
Bentley Technical College
Jarrah Road
EAST VICTORIA PARK WA 6101 Ph: (09) 362 1088

School of Health Sciences
WA Institute of Technology
Kent Street
BENTLEY WA 6102 Ph: (09) 350 7700

School of Environmental and
Life Sciences
Murdoch University
MURDOCH WA 6150 Ph: (09) 332 2211

Information and Resources Section
Department of Occupational Health,
Safety and Welfare
Construction House
Havelock Street
WEST PERTH WA 6005 Ph: (09) 322 0331

Information Section
Department of Conservation
and Environment
BP House
1 Mount Streeet
PERTH WA 6000 Ph: (09) 322 2477

REFERENCES:

1. AUSTRALIA. Parliament. House of Representatives. Standing Committee on Environment and Conservation. Hazardous chemical wastes, storage, transport and disposal: first report on the inquiry into hazardous chemicals. Canberra: AGPS, 1982.

2. AUSTRALIA. Parliament. House of Representatives. Standing Committee on Environment and Conservation. Hazardous chemicals: second report on the inquiry into hazardous chemicals. Canberra: AGPS, 1982.

3. AUSTRALIAN ENVIRONMENT COUNCIL
Discussion paper on the proposed national chemicals notification and assessment scheme.
Canberra: Australian Environment Council, 1984.

4. AUSTRALIAN TRANSPORT ADVISORY COUNCIL. Advisory Committee on the Transport of Dangerous Goods. Australian code for the tranpsort of dangerous goods by road and rail. Canberra, AGPS,1980

5. INTERIM NATIONAL OCCUPATIONAL HEALTH AND SAFETY COMMISSION
Report. Canberra, AGPS, May 1984.

6. WESTERN AUSTRALIA. Transport of Dangerous Goods Advisory Committee.
State and transport emergency assistance scheme. Perth; The Committee, 1984.