

5 December 2019
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Dear Mr Wright,

CRYSTALLINE SILICA: IMPROVING THE PROVISION OF INFORMATION ACROSS THE SUPPLY CHAIN

Thank you for the opportunity to comment on Crystalline Silica Policy Options Paper (Paper) November 2019. The Paper has been reviewed and there are concerns held that there are some unnecessary complications for the extractive industry being proposed.

Proposed Reform Proposals p.4

Duty Holder: Manufacturers and suppliers

Reform Proposal 1: *"Remove the exclusion, as it applies to crystalline silica products silica, from the manufacturer and supplier duties under Part 4.1 of the OHS Regulations."*

"Option 1: extend requirements to all products containing crystalline silica" This option shall then include all silica containing products, for example, toothpaste, grinder blades, bottles, mobile phones and solar panels to say the least, as these products enter the final stage of use, they may be recycled, crushed down such as glass bottles and potentially be a hazard.

Option 1 **is not** supported by CMPA

"Option 2: extend requirements only to engineered stone". This option targets the actual issue at hand and could be expanded to include all construction products arising from engineered stone.

Option 2 is supported by CMPA

Duty Holder: Employer

Reform Proposal 2: *"Require workplaces working with a raw crystalline silica material (natural resource) to make a determination before work commences"*

A determination of silica content generally occurs for extractive construction materials and so is not required to be regulated. Regulators are now challenging the fact that Basalt is less than 1% silica and asking for this information and some have stated that though petrographic analysis for Basalt contains less than 1% silica it is still hazardous because for every 100 tonnes crushed an employee may be exposed to 1 tonne of respirable crystalline silica dust. There is a general lack of understanding as to the prevalence of silica in natural products and society in general.

Reform Proposal 2 **is not** supported by CMPA

Reform Proposal 3. "*Require employers to include all products containing crystalline silica in their hazardous substances register*". The rationale being "*This would ensure that employers have a duty to obtain a safety data sheet, make it available to employees, ensure that crystalline silica containing products are labelled in the workplace, and include silica products on their hazardous substances register*".

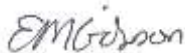
Technically this means that all stockpiles, sample bags, conveyors, crushers and associated equipment or storage areas may need to be signposted/labelled. The extractive industry already supplies Safety Data Sheets for quartz containing materials.

Reform Proposal 3 **is not** supported by CMPA

There first needs to be the collection and evidence of data to underpin the changes being proposed for the extractive industry such a dust health monitoring and incidences of silicosis in the extractive industry over the past 20 years. Up do ~12 months ago the regulators have been monitoring and reasonably satisfied with outcomes for dust management in quarries. However, the extractive industry has since, unfairly, been likened to the engineered stone benchtop issue. The intent of the Occupational Health & Safety Act 2004 is to supposedly operate in a self-regulating risk based environment, but in actual fact it is becoming prescriptive.

Please do not hesitate to contact me further to discuss.

Yours sincerely



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