

24 March 2023

Dr Ryan Hoy
Respiratory and sleep physician
Chair NSPS Expert Steering Committee
Lung Foundation Australia

Via: <https://lungfoundation.com.au/advocacy/national-silicosis-prevention-strategy/consultation-hub/>

Dear Ryan

NATIONAL SILICOSIS PREVENTION STRATEGY 2023-2028 AND ACCOMPANYING NATIONAL ACTION PLAN

CMMPA is the premier representative body for the Victorian extractive resources industry. It represents a broad spectrum of those involved in construction material processing businesses and has a membership base consisting of over 200 quarries across the industry. Together, these members employ approximately 1500 Victorians which underpins the construction industry of almost 240,000 employees (<https://liveinmelbourne.vic.gov.au/connect/victorian-industries/transport-defence-and-construction>).

CMMPA members are typically small to medium sized family and private businesses, local government, and utility providers. Many are regionally based employers and service local construction, infrastructure and road maintenance needs. The extractives sector is a key pillar within the construction industry underpinning the growth and economic development of Victoria through supply of the construction materials.

In 2021/22, the sector supplied approximately 70 million tonnes of construction materials (25% of total freight movement in Victoria) to the market, at a value of approximately \$1.2 billion directly supporting Victoria's \$80 billion Big Build (<https://bigbuild.vic.gov.au/about>) and the estimated 1.6 million new homes required by 2050 (<https://earthresources.vic.gov.au/geology-exploration/industry-investment/joint-ministerial-statement-on-extractive-resources>). Small to medium quarries account for approximately half of this production and is submitted to be a vital industry supporting the ongoing economic prosperity of Victorians.

The CMMPA supports the principle of responsible, balanced legislation that is in the best interests of the State of Victoria and Australia including the protection of resources that enable extraction of construction materials that is cost efficient to market and to the Victorian taxpayer who is ultimately the end consumer and beneficiary of that resource.

Thank you for the opportunity to comment on the National Silicosis Prevention Strategy (NSPS) 2023-2028 and accompanying National Action Plan (NAP).

General

The NSPS and NAP has been comprehensively written and if implemented correctly (taking issues raised in the submission below into account) should lead to the prevention and ultimately the elimination of silicosis as an occupational disease. Care should be taken to ensure that there is not a scatter gun approach and that the engineered stone industry should be the focus.

Submission

Descriptions of silicosis symptoms can be found in the literature since the time of ancient Egypt. Silicate minerals make up approximately 90% of the Earth's crust so elimination of their use for infrastructure development is unattainable. However, elimination of silicosis is attainable through responsible regulation that includes education and training, realistic controls and Workplace Exposure Standards, health-monitoring, evidence of compliance and enforcement.

The NSPS would benefit from providing diagnosed silicosis cases differentiated by industry and year. For example, it is known in Victoria that there have been approximately 10 cases in the last 10 years related to working in quarries. 6 of those were due to the working in an enclosed area whilst milling sand (an outmoded practice).

Many of the proposed activities in the NAP are already in place in jurisdictions such as Victoria.

The NSPS and NAP must recognise the importance of NATA accreditation for the sampling of and method for determining the concentration of crystalline silica analytes. Inclusion of air monitoring results that have not been determined under NATA accreditation would render them meaningless especially as the action level 0.025 mg/m³ is at the current detection limit of the analytical method and equipment.

Specific comments

Page number	NSPS NPA	Comments
p.6 3 rd para	<i>"...extensive stakeholder consultation"</i>	The quarry industry was not included in consultation including CMPA a peak body.
p.22 3 rd para	<i>"Implementation of a national ban to expressly prohibit uncontrolled dry cutting or processing of silica-containing materials is required"</i>	Agree that this is required for engineered stone
p.25	<i>"increase the supply of occupational hygienists in Australia"</i>	An increase in the number of NATA accredited laboratories is also required.
p.26	<i>"1.2. Implement a national ban to expressly prohibit uncontrolled dry cutting or processing of silica containing materials and develop and implement an accompanying compliance strategy."</i>	It is assumed that this requirement relates to engineered stone only.
p.27	<i>"Requirement for air monitoring to be overseen by a COH® and exceedances reported to the jurisdictional regulator documented in legislation"</i>	Exceedances should only be reported where analysis has been undertaken by a laboratory that is NATA accredited for the analytical method and analytes
p.28	Activity 1.8	Add third dot point <i>"NATA accredited laboratories"</i>

p.31	<i>"Consumers about the risks associated with silica-containing products when appropriate control measures are not used and to encourage consideration of safe alternatives."</i>	Consumers need to be made aware that a large percentage of products obtained from quarrying contain silica and the focus should be on ensuring control measures are in place.
p.32 6 th do point	<i>"Include the development of practical guidance and tools for use in workplaces in a variety of modalities."</i>	There is much practical guidance and tools already available such as that developed by CMPA. (see attached)
p.54 5.1 1 st outcome	<i>"National, population-level monitoring and surveillance of silicosis"</i>	This outcome may be unrealistic.
p.54 5.2	<i>"Fund a NHMRC Centre for Research Excellence (CRE) in Silicosis Prevention"</i>	Perhaps change the name to dust diseases prevention.

CMPA Silicosis Prevention Tools.

- CMPA Respirable Crystalline Silica Dust Management Guideline (reviewed by WorkSafe Victoria and Occupational Hygienist) (see www.cmpavic.asn.au)
- CMPA medical health screening forms (developed by Occupational Physicians):
 - Pre-employment
 - Periodic employment (silica)
 - Post employment
- On-line Silica awareness training module for employees
- Silica awareness information for potential employees

CMPA will commence developing separate environmental respirable crystalline silica dust (RCSD) management guidelines and templates in 2023.

I would be pleased to discuss these matters with you. Please contact me on 0434 692 618 or via email at elizabeth.gibson@cmpavic.asn.au in respect of any matter.

Yours sincerely



Dr Elizabeth Gibson
General Manager

About the CMPA

The CMPA Rules contain the following purposes of the Association which are to:

- (i) conduct its affairs with honesty and integrity;
- (ii) demonstrate its commitment to the:
 - viability of the Industry;
 - protection of the environment;
 - community in which it exists;
- (iii) vigorously pursue with government and others issues of widespread concern to members;
- (iv) demonstrate leadership and a sense of direction for the Industry;
- (v) act as a resource and provide support to its members through the delivery of cost savings and assistance in complying with legal obligations;
- (vi) foster unity and cooperation between members and others;
- (vii) promote continuous improvement through education, training and other activities.

As per purpose (vii) through the development of Guidelines, Checklists and Reference Manuals such as:

Guidelines	Checklists	Reference Manuals	Community publications and video clips
Workplace and Environmental Noise Management	Excavator	Work Safely	Quarries Building Communities https://cmpavic.asn.au/community/
Dust Management including separate Respirable Crystalline Silica Dust Management	Front End Loader	Conduct Laboratory-based tests	
Blast Management	Mobile Plant	Conduct Screening	
Bushfire Response	On Road Tip Truck	Service & Maintain Crushers	
Slimes Management	Watercart	Conduct Crushing	
Traffic Management	Haul Truck	Collect Routine Site Samples	
Working Safely with Geotechnical Risk in Quarries	Pick up and delivery	Combined Crushing & Screening	

The Guidelines are made available **free to the community** on <https://cmpavic.asn.au/publications/support-sheets/>