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• **USA EPA - Greenhouse Gases Threaten the Public**

After a thorough examination of the scientific evidence and careful consideration of public comments, the U.S. Environmental Protection Agency (EPA) announced today that greenhouse gases (GHGs) threaten the public health and welfare of the American people. The USA EPA also finds that GHG emissions from on-road vehicles contribute to that threat.

“These long-overdue findings cement 2009’s place in history as the year when the United States Government began addressing the challenge of greenhouse-gas pollution and seizing the opportunity of clean-energy reform,” said EPA Administrator Lisa P. Jackson. 7 Dec 2009.

The USA EPA’s endangerment finding covers emissions of six key greenhouse gases – Carbon Dioxide, Methane, Nitrous Oxide, Hydrofluorocarbons, Perfluorocarbons and Sulfur Hexafluoride – that have been the subject of scrutiny and intense analysis for decades by scientists in the United States and around the world.

Information on USA EPA’s findings:

[www.epa.gov/climatechange/endangerment.html](http://www.epa.gov/climatechange/endangerment.html)

From: <http://yosemite.epa.gov/opa/admpress.nsf/d0cf6618525a9efb85257359003fb69d/08d11a451131bca585257685005bf252!OpenDocument>

**Hazmat & Environment Notes**

are prepared by:

Jeff Simpson

Hazardous Materials Consultant  
Editor & Publisher

My approach is to provide a short, succinct note on each hazardous material issue, sufficient to allow you to make a decision of whether it is relevant to you. If you need more information contact details / website / etc are provided.

I encourage all readers to make comment on draft regulations, codes and standards.

Screen

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## Hazardous Substances

### • HexaBromoCycloDoDecane Consultation

The European Chemicals Agency is asking for comment on **Hexabromocyclododecane** (HBCDD) (Sweden) – which is used as a flame retardant (e.g. in Polystyrene, then further processed for the production of insulation panels/boards or packaging products, and in textile applications).

Hexabromocyclododecane is proposed to be classified in category 3 for reproductive toxicity for possible risk of both impaired fertility and harm to the unborn child, and to be labelled with "May cause harm to breastfed babies".

From: [http://echa.europa.eu/doc/press/na\\_09\\_26\\_consultations\\_clp\\_20091104.pdf](http://echa.europa.eu/doc/press/na_09_26_consultations_clp_20091104.pdf). Comments by 19 Dec 2009.

Download the HBCDD 49 page document from:

[http://echa.europa.eu/consultations/harmonised\\_cl\\_en.asp](http://echa.europa.eu/consultations/harmonised_cl_en.asp)

*Editor's Comment:* At this time there does not appear to be any satisfactory alternative flame retardant to HBCDD in Polystyrene, without significantly affected its properties.

### • Cryolite Consultation

The European Chemicals Agency is asking for comment on **Cryolite** (Germany) – which is the main constituent of the electrolytic bath in the production of aluminium. Germany proposes to change the current classification by adding classification in category 3 for reproductive toxicity as "Possible risk of harm to the unborn child"; and classification as "Irritating to eyes". It is also proposed to withdraw the current classification as "Harmful if swallowed".

From: [http://echa.europa.eu/doc/press/na\\_09\\_26\\_consultations\\_clp\\_20091104.pdf](http://echa.europa.eu/doc/press/na_09_26_consultations_clp_20091104.pdf). Comments by 19 Dec 2009.

Download the Cryolite documents from:

[http://echa.europa.eu/consultations/harmonised\\_cl\\_en.asp](http://echa.europa.eu/consultations/harmonised_cl_en.asp)

### • Engineered Nanomaterials: Two Research Reports

Safe Work Australia has released two research reports on engineered nanomaterials:

#### 1/ Engineered Nanomaterials:

Evidence on the effectiveness of workplace controls. (82p)

This literature review has brought together and evaluated evidence on the effectiveness of workplace controls to prevent or minimise exposure to engineered nanomaterials. Only workplace settings such as laboratories, pilot plants and production plants have been considered; environmental safety and consumer product safety were not considered.

#### 2/ Engineered Nanomaterials:

A review of toxicology and health hazards. (182p)

This review reports the current understanding of the toxicology and health hazards associated with engineered nanomaterials, and the implications in regard to health hazards in occupational settings (i.e. during manufacture, handling, and use). It updates a previous review by the Australian Safety and Compensation Council. The information in this review is based on scientific literature published from 2006 to 2008, however, during the editorial phase some important publications from the first half of 2009 have been incorporated.

These two reports are accessible from:

[www.safeworkaustralia.gov.au/swa/HealthSafety/EmergingIssues/Nanotechnology/NanotechnologyandOccupationalHealthandSafety.htm](http://www.safeworkaustralia.gov.au/swa/HealthSafety/EmergingIssues/Nanotechnology/NanotechnologyandOccupationalHealthandSafety.htm)

### • Occupational Carcinogens: Cancer Council Aust

Estimating the proportion of cancer attributable to occupational exposures is complicated and difficult, and a number of estimates have been made. Some researchers suggest that as little as two percent of new cancer cases are due to workplace exposures. Other estimates are as high as eleven percent.

Therefore, occupational health and safety legislation should clearly be designed to ensure workers are protected from cancer risk.

The Cancer Council Australia Position Statement is at:

[www.cancer.org.au/File/PolicyPublications/Position\\_statements/PS-Occupational\\_carcinogens\\_Nov08.pdf](http://www.cancer.org.au/File/PolicyPublications/Position_statements/PS-Occupational_carcinogens_Nov08.pdf)

From: [www.cancer.org.au/Newsmedia/positionstatements/OccupationalCarcinogens.htm](http://www.cancer.org.au/Newsmedia/positionstatements/OccupationalCarcinogens.htm)

### • Fumigated Shipping Containers: Safety

#### 1/ Clearance of Methyl Bromide (by Fumigators) Nov 09

Shipping containers that are fumigated and ventilated may still contain a significant quantity of Methyl Bromide (MeBr) due to poor venting procedures, desorption or entrapment of the gas in packaging. This may present a risk to persons involved in unpacking these containers.

From: [www.worksafe.vic.gov.au/wps/wcm/connect/WorkSafe/Home/Forms+and+Publications/Health+and+Safety+Solution/Fumigated+shipping+containers+-+Clearance+of+methyl+bromide+by+fumigators](http://www.worksafe.vic.gov.au/wps/wcm/connect/WorkSafe/Home/Forms+and+Publications/Health+and+Safety+Solution/Fumigated+shipping+containers+-+Clearance+of+methyl+bromide+by+fumigators)

## 2/ Venting Prior to Unpacking (by End User) Nov 09

Shipping containers that have been fumigated and ventilated by fumigators may still contain a significant quantity of Methyl Bromide (MeBr) due to poor venting procedures, desorption or entrapment of the gas in the packaging. This may present a risk to persons involved in unpacking these containers.

From: [www.worksafe.vic.gov.au/wps/wcm/connect/WorkSafe/Home/Forms+and+Publications/Health+and+Safety+Solution/Fumigated+shipping+containers+-+Venting+prior+to+unpacking+by+end+user](http://www.worksafe.vic.gov.au/wps/wcm/connect/WorkSafe/Home/Forms+and+Publications/Health+and+Safety+Solution/Fumigated+shipping+containers+-+Venting+prior+to+unpacking+by+end+user)

### • Hazardous or Combustible Dusts, Fumes & Fibres

Worksafe WA 4 page guidance on: Dusts, fumes and fibres can be a particular problem because health effects may become evident months or years after exposure. In addition, combustible dusts can cause catastrophic explosions. This guidance follows the inspection campaign in early 2009, targeting dusts, fumes and fibres.

From: [www.commerce.wa.gov.au/WorkSafe/PDF/Guides/dust\\_fume\\_fibre.pdf](http://www.commerce.wa.gov.au/WorkSafe/PDF/Guides/dust_fume_fibre.pdf)

### • Worksafe WA Dusts, Fumes & Fibres Campaign uncovers lack of awareness of hazards

An inspection campaign targeting dusts, fumes and fibres held in April has uncovered that many employers are either not aware of the hazards in their workplaces or are not taking action to reduce the risks.

WorkSafe inspectors found that dust, fumes and fibres presented a hazard to workers at almost two-thirds of workplaces visited.

From: [www.commerce.wa.gov.au/Corporate/Media/statements/2009/June/Dusts\\_fumes\\_and\\_fibres\\_campaign.html](http://www.commerce.wa.gov.au/Corporate/Media/statements/2009/June/Dusts_fumes_and_fibres_campaign.html)

### • Cefic Long-range Research Initiative (LRI)

The Cefic LRI focus is on gaps in industry's knowledge and understanding that are critical for risk assessment. The broad aim is a validated infrastructure of scientific advice on which the entire industry and regulatory bodies will draw to respond more quickly and accurately to the public's questions. LRI sponsors research to help address some of the priorities of the European public health strategy:

- Improving risk assessment of chemicals; and more specifically Monitoring effects of chemicals on health;
- Understanding the environmental factors in human health;
- Establishing endocrine disruption references; and  
Coordinating research, data & activities at a European level.

LRI also addresses many of the environmental objectives of the EU, including:

- Linking environmental factors to health effects;
- Understanding & reducing chemical risks to environment; &
- Improving animal testing in risk assessment.

There is a 20 page brochure: [Scientific Contributions to Chemical Policies](#).

Some interesting projects initiated in 2009 at:

[www.cefic-lri.org/index.php?page=request-for-proposals](http://www.cefic-lri.org/index.php?page=request-for-proposals) are:

N3- Testing & Assessment of Reproductive Toxicity of Nanomaterials

B5- Realistic Estimation of Exposure to Substances from Multiple Sources

B6- Improved Hazard Assessment of Chemical Sensitizers Through Testing of Novel Markers

From: <http://www.cefic-lri.org/>

## Chemical Management

### • Draft Chemical Hazard Classification Criteria

*Editor's Note:* Comment officially closes this Friday 18<sup>th</sup> Dec, however I am informed that provided your comment is in by mid Jan, you are still likely to be included.

*The Note below appeared in the previous Aug-Oct Notes.*

<http://www.safeworkaustralia.gov.au/swa/HealthSafety/HazardousSubstances/Proposed+Revisions.htm>

The Classification Criteria document is complex and highly technical. It is designed to be used by expert classifiers and writers of safety data sheets with scientific training in toxicology or determination of physical hazards of chemicals. It is not designed for workplace use by non-experts.

The Classification Criteria has retained the hazard Class C1 Combustible Liquid hazard category.

Twelve additional non-GHS supplemental hazard statements that are included in the Approved Criteria have been retained for continuity purposes and to maintain the current overall level of protection of human health and the environment in Australia.

It is anticipated that, over time, the Classification Criteria will be fully aligned with the international criteria to reflect changes and technical progress in the GHS.

Note: Section 1.5 (p15) discusses the Classification of Engineered Nanomaterials, which is not specifically mentioned in Chapter 1 of the GHS 3<sup>rd</sup> Revised Edition.

**In this Draft, if you want to just gain a summary perspective of what the Classification Criteria covers, and does not cover, this can be done by reading the Appendices:**

Appendix 2: Summary Tables for Hazard Classes & Hazard Categories p 230-277.

Appendix 3: Codification of Hazard & Precautionary Statements

(which includes the Non-GHS hazard statements H001 to H099 on p278).

Appendix 4: Classification on the Basis of Environmental Effects p296-326. However To facilitate classification, reference to the GHS, *Annex 9 – Guidance on the hazards to the aquatic environment*, is informed to be necessary.

Appendix 6: Potential Overseas Classification and Communication Requirements p344-354

Note: Appendix 6 is useful to find out the GHS and EU CLP requirements that are not required for compliance with workplace safety regulations in Australia, but may either be required for overseas competent authorities or be required to comply with other environmental legislations within Australia.

[www.safeworkaustralia.gov.au/swa/HealthSafety/HazardousSubstances/Proposed+Revisions.htm](http://www.safeworkaustralia.gov.au/swa/HealthSafety/HazardousSubstances/Proposed+Revisions.htm). This response form helps the comment collation process.

Send comments to: [chemicals@safeworkaustralia.gov.au](mailto:chemicals@safeworkaustralia.gov.au)

## • Updating NZ HSNO Regs to Current GHS Criteria

*Background:* The New Zealand Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 and the NZ Hazardous Substances (Classification) Regulations 2001 were developed from draft proposals for the GHS that were available in 2000. Since that time, the finalized GHS has been published by the United Nations and a 3rd revised edition was released in July 2009. Consequently, there are now several areas of difference between the classification framework of the NZ HSNO regulations and that of the GHS.

The discussion paper (available below) identifies these differences and compares the form of adoption of the GHS in New Zealand with that of overseas jurisdictions, particularly the European Union, Australia and China. Proposals and options are presented for updating the NZ HSNO regulations and for enhancing alignment of these with the systems of some of New Zealand's major trading partners. Feedback will enable ERMA NZ to report to the NZ Minister for the Environment on the proposals to revise the regulations.

*Note:* This consultation relates ONLY to the classification framework contained within the NZ HSNO regulations.

The 63 page [Discussion Paper](#) (as a word document) - Updating HSNO Regulations to Current GHS Criteria, can be downloaded from here: It is available for comment until 19 Feb 2010.

[Hazardous Substances \(Minimum Degrees of Hazard\) Regulations 2001](http://www.legislation.govt.nz/regulation/public/2001/0112/latest/DLM33301.html) at [www.legislation.govt.nz/regulation/public/2001/0112/latest/DLM33301.html](http://www.legislation.govt.nz/regulation/public/2001/0112/latest/DLM33301.html)

[Hazardous Substances \(Classification\) Regulations 2001](http://www.legislation.govt.nz/regulation/public/2001/0113/latest/DLM33833.html) at [www.legislation.govt.nz/regulation/public/2001/0113/latest/DLM33833.html](http://www.legislation.govt.nz/regulation/public/2001/0113/latest/DLM33833.html)

*From:* [www.ermanz.govt.nz/hs/abouts/ghscriteria.html](http://www.ermanz.govt.nz/hs/abouts/ghscriteria.html)

*Editor's Comment:* This is an interesting document to let us better understand the differences of the NZ GS proposals to the European regulations, and to the draft Australian and draft Chinese proposals. Pages 10-15 & 43-63

There is also clarification that the categories that are tighter classifications (e.g. 6.1E, 6.3B) than Australia only applies to the classification of domestic and consumer chemicals and agricultural chemicals used domestically, as this is intended to protect vulnerable populations (such as children) which workers are not considered to be.

The Chinese include most of these tighter classifications are informed to be included without restriction in the Chinese draft.

Copies of the draft Chinese General Rule for Classification and Hazard Communication of Chemicals document and their SDS and draft labelling documents (in English) are accessible at: <http://ghslabel.com/ghssystems/chinaghs.html>

*Note:* However the specific English version detailed criteria documents referred to in GB13690-200X which are GB 20576 to GB 20602 are not easily accessible

## • Biotechnology and Chemicals and Plastics

Biotechnology involves the development of techniques and technologies based on knowledge of living organisms.

Industrial uses of biotechnology came from 'adapting the biological organisms, processes, products & systems found in nature for the purpose of producing goods and services'.

Biotechnology applications for chemicals & plastics include:

- replacement of hazardous and energy-demanding synthesis processes with enzyme-based processes, improving efficiency;
- processes that allow the use of non-petroleum starting materials, sourced from biological material (from plants and other living organisms);

- new products based on compounds from biological material, often produced with the help of microscopic organisms; and
- biofactories, where crop plants produce chemicals & plastics.

From: [www.industry.gov.au/Industry/Biotechnology/Documents/0966ChemicalandPlastics\\_FINAL\\_March08.pdf](http://www.industry.gov.au/Industry/Biotechnology/Documents/0966ChemicalandPlastics_FINAL_March08.pdf)

Available: [www.innovation.gov.au/Industry/Biotechnology/](http://www.innovation.gov.au/Industry/Biotechnology/)

There is also a brochure for

### **Biotechnology and Hazardous Waste Management:**

Biotechnology has a range of applications in waste management including:

- reduced waste outputs through changes in production techniques or input materials;
- rehabilitation of soil & water at spills & contaminated sites;
- removal of organic pollutants from domestic and industrial effluents; and
- production of biofuels and electricity from organic waste.

At: [www.innovation.gov.au/Industry/Biotechnology/Documents/0966HazardousWaste\\_FINAL\\_March08.pdf](http://www.innovation.gov.au/Industry/Biotechnology/Documents/0966HazardousWaste_FINAL_March08.pdf)

*Editor's Comment:* I included these 2 brochures as I see a significant movement towards industrial biotechnologies. It is important that we have a very good understanding of what biotechnology can do, and in particular if there are any new hazards we need to take into account (e.g. the enzyme based detergents had a sensitising hazard during manufacture in the early 1990s which lead to a NICNAS PEC).

### • **USA OSHA Issues Record Breaking Fines to BP**

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) on the 30 October 2009 announced it was issuing \$87,430,000 in proposed penalties to BP Products North America Inc. for the company's failure to correct potential hazards faced by employees. The fine is the largest in OSHA's history.

Safety violations at BP's Texas City, Texas, refinery resulted in a massive explosion — with 15 deaths and 170 people injured – in March of 2005. BP entered into a settlement agreement with OSHA in September of that year, under which the company agreed to corrective actions to eliminate potential hazards similar to those that caused the 2005 tragedy.

The fines were for 709 alleged failures to comply with the 2005 settlement agreement and citations, and violations of safety and health standards identified during the agency's inspection of the corporation's refinery in Texas City, TX (BPTCR). The inspection of the refinery was conducted from May through October 2009.

From: [www.osha.gov/dep/bp/bp.html](http://www.osha.gov/dep/bp/bp.html)

and: [www.osha.gov/dep/bp/Fact\\_Sheet-BP\\_2009\\_Monitoring\\_Inspection.html](http://www.osha.gov/dep/bp/Fact_Sheet-BP_2009_Monitoring_Inspection.html)

### • **Victorian Code of Ethics & Minimum Service Stds for Professional Members of Occupational Health and Safety (OHS) Associations, 2<sup>nd</sup> Ed.**

This document was updated in October 2009.

From: [www.worksafe.vic.gov.au/wps/wcm/connect/WorkSafe/Home/Forms+and+Publications/Publications/Victorian+Code+of+Ethics+and+Minimum+Service+Standards](http://www.worksafe.vic.gov.au/wps/wcm/connect/WorkSafe/Home/Forms+and+Publications/Publications/Victorian+Code+of+Ethics+and+Minimum+Service+Standards)

## **NICNAS (Industrial Chemicals)**

### • **LRCC Evaluation Impact on Industry: Final Report**

The first phase of the Low Regulatory Concern Chemicals (LRCC) evaluation project has evaluated the impacts on industry. It initially involved 23 in-depth, one-on-one stakeholder consultations with peak bodies, industry leaders and a broad range of companies who interact with NICNAS about LRCCs. The findings were explored through a series of case studies which were tested across industry using an online survey (with more than 800 industry stakeholders participating). Additionally, some limited consultation took place with community, OHS and environmental representatives

The first phase final report including feedback, is at: [www.nicnas.gov.au/About\\_NICNAS/Reforms/LRCC\\_Evaluation.asp](http://www.nicnas.gov.au/About_NICNAS/Reforms/LRCC_Evaluation.asp).

Report: [www.nicnas.gov.au/About\\_NICNAS/Reforms/LRCC/LRCC%20Evaluation%20-First%20Phase%20Final%20Report.pdf](http://www.nicnas.gov.au/About_NICNAS/Reforms/LRCC/LRCC%20Evaluation%20-First%20Phase%20Final%20Report.pdf) (150 pages)

The second phase of the LRCC evaluation is planned for 2010 and will concentrate on the impact of the reforms on the community and government agencies, expanding on preliminary comments from community representatives in the first phase.

For information contact Dr Sarah Rumble ph: 02-8577-8832, email: [sarah.rumble@nicnas.gov.au](mailto:sarah.rumble@nicnas.gov.au).

From: *Chemical Gazette*, Nov 09 [www.nicnas.gov.au](http://www.nicnas.gov.au)

## **Some Extracts from the LRCC Report that got my attention:**

1/ Industry's view was that regulation should be proportionate to the potential risk. However, legislation requires that there is adequate data to prove that the chemical meets the criteria for the low concern category, or that '*no unreasonable risk*' can be demonstrated, thus binding NICNAS to a degree of data requirement. From p iii.

2/ Time to market for a new product was ultimately the greatest concern for most industry stakeholders and therefore delays in approval were the source of the greatest resentment towards NICNAS. These delays were shown to exist for LRCCs equally to other chemicals. A number of companies were known to be introducing some chemicals outside the formal process or before the formal process was complete. From p iv.

3/ Option 2: Review volume limits for low volume exemptions. E.g. 200kg, 500kg or 1000kg but considering standard methods of delivery are accounted for, and the risk posed at the new volume remains low. From p v.

With low profit margins in play, volumes of 100 kg were considered uneconomic (yet the potential profits also do not justify going to the greater expense of seeking a full permit). From p 13.

*Editor's Comment:* I suggest a 200 L drum size, which could weigh up to 300 kg, as a safe standard delivery unit.

4/ Option 3: Review volume limits for R&D exemptions. From p vi.

Some industry stakeholders proposed that the volume limit for R&D needed to be greater to allow for best practice in R&D, as well as to facilitate testing which enhanced the testing for any risk factors. From p 15.

5/ Option 4: Extend the exemption for non-hazardous chemicals at 1% concentration or less to products other than cosmetics. From p vi.

A regular problem for chemical suppliers was that they did not know what the final formulation of a cosmetic product would be when they sold a constituent chemical to a company, and so they were unable to utilise this exemption. From p 12.

6/ Option 7: Review the efficiency of current annual reporting requirements. From p vii.

7/ 3.4.8 Early Listing on AICS: The option for early listing on the AICS online was well received. This was considered very helpful when working as part of a supply chain. From p 18.

### • **NICNAS: Hard Surface Disinfectant Products**

NICNAS and the TGA are continuing to undertake a review of the current regulatory framework for hospital, household and commercial-grade hard-surface disinfectant products. For the purposes of the review, these are defined as substances that are applied to an inanimate object or surface to kill a range of micro-organisms. Note: The review does not include products to sterilise surgical instruments.

Since the previous survey, a preferred TGA/NICNAS option for the regulation of household & commercial grade disinfectants (without specific claims) as well as sanitisers, sanitary fluids and antibacterial surface wipes has been identified.

To see these November 2009 consultation documents go to:

[www.nicnas.gov.au/Current\\_Issues/Disinfectants/Consultation\\_Disinfectants.asp](http://www.nicnas.gov.au/Current_Issues/Disinfectants/Consultation_Disinfectants.asp)

- [Disinfectants Consultation Document](#) (15 pages)
- [Disinfectants Business Impact Survey](#) (3 pages)

The TGA and NICNAS consultation Regulatory Impact Statement together with the Survey will allow an analysis of the impact on stakeholders of the proposed changes to the regulation of hard surface disinfectants on stakeholders.

The original 2008 documents are at: [www.nicnas.gov.au/Current\\_Issues/Disinfectants.asp](http://www.nicnas.gov.au/Current_Issues/Disinfectants.asp)

For details contact: Stephen Zaluzny, ph: 02 8577 8883, email: [Stephen.Zaluzny@nicnas.gov.au](mailto:Stephen.Zaluzny@nicnas.gov.au), or Siepie Larkin, ph: 02 6232 8721, email: [Siepie.Larkin@tga.gov.au](mailto:Siepie.Larkin@tga.gov.au).

From: *Chemical Gazette*, Nov 09 [www.nicnas.gov.au](http://www.nicnas.gov.au)

### • **Industrial Nanomaterials: Proposed Regulatory Reform**

NICNAS has reviewed its existing regulatory and administrative processes for industrial nanomaterials and developed a regulatory strategy. The draft strategy was developed in consultation with the NICNAS Nanotechnology Advisory Group (NAG) comprising of industry, community and academia, and brings together two parallel streams of NICNAS activities, regulatory and technical.

Feedback is needed to facilitate a preliminary analysis of the impact, as well as the feasibility of proposed options, for the regulation of industrial nanomaterials.

The discussion paper provides options to the regulatory framework in Australia for industrial nanomaterials, the working definition for industrial nanomaterials provided is:

**... industrial materials intentionally produced, manufactured or engineered to have specific properties or specific composition, and one or more dimensions typically between 1 and 100 nanometres...**

[NICNAS Nanotechnology Public Discussion Paper](#) (21p)

Cont.

Part 3A - NICNAS proposes to administratively exclude nanomaterials from exemption categories where human and/or environmental exposure can reasonably be anticipated.

Part 3B - For 'existing chemicals' but presented in nanomaterial form, two distinct short- to medium-term activities have been identified to run concurrently:

Have a voluntary once off, use specific reporting program leading to a mandatory once off, use specific reporting program, **AND** whilst this occurs examine the feasibility of a mandatory notification and assessment program.

[Attach 1](#) - *Overarching Principles of NICNAS Reg Strategy*

[Attach 2](#) - *Indicative List of Nanomaterials (6p)*

*This list includes: Nano Carbon; Polymers specifically synthesized to exploit nanoproperties; Dendrimers; Components of Quantum Dots (all Inorganic Nanomaterials); Inorganic Nanomaterials (5 page list); and Nano Clays.*

[Attach 3](#) - *Findings from Monash University Report (3p)*

[Attach 4](#) - *Overview of International Activities (2p)*

[Attach 5](#) - *Overview: NICNAS New Chem Notify Categories*

*Editor's Note: The <100 kg No Unreasonable Risk Exemption Categories will not longer be allowed for any Nanomaterials (even if "not hazardous"). (2p)*

[Attach 6](#) - *Proposed Strategy Nano-forms of New Chemicals*

[Attach 7](#) - *Proposed Model for Mandatory Notification & Assessment Program (1p)*

For details contact: Nicola Hall, ph: 02 8577 8871, email: [nicola.hall@nicnas.gov.au](mailto:nicola.hall@nicnas.gov.au).

Comment has now been extended until the 12 Feb 2010.

From: [www.nicnas.gov.au/Current\\_Issues/Nanotechnology/Stakeholder\\_Consultation.asp](http://www.nicnas.gov.au/Current_Issues/Nanotechnology/Stakeholder_Consultation.asp) and

From: Chemical Gazettes, Nov & Dec 09 [www.nicnas.gov.au](http://www.nicnas.gov.au)

Editor's Comment: A member of the Melbourne meeting suggested that up to 300 nm may need to be included.

## • Diethylhexyl Phthalate (DEHP) PEC Progress

DEHP (CAS 117-81-7) is one of nine Phthalates declared as a PEC on 7 March 2006, for public health risk assessment, based on the actual and potential use of DEHP in toys, child care articles and cosmetics.

There will be a 28-day public comment period in the late January to late February 2010, with public meetings in major cities (depending on the level of interest).

Contact Dr Julija Filipovska ph: 02-8577-8895,  
email: [julija.filipovska@nicnas.gov.au](mailto:julija.filipovska@nicnas.gov.au)

From: Chemical Gazette, Dec 09 [www.nicnas.gov.au](http://www.nicnas.gov.au)

## Scheduled Poisons

### • New SUSDP Entries for Schedule Poisons

The following entries caught my attention.  
These are effective 1 May 2010.

#### Schedule 5 – New Entries

ABSCISIC ACID.

IPCONAZOLE in preparations with ≤ 2%

THIOPHANATE-METHYL in preparations with ≤ 25%

#### Schedule 6 – New Entries

IPCONAZOLE except when in Schedule 5.

THIOPHANATE-METHYL except when in Schedule 5.

#### Schedule 7 – New Entry (as Sched 6 entry deleted)

CARBENDAZIM.

From NDPSC Oct 2009 Meeting Post Gazette Notice.

See also extracts following from Oct 09 Record of Reasons.

<http://www.tga.gov.au/ndpsc/gazette/g0910pos.pdf>

- **NDPSC Record of Reasons, October 2009**

**6. Matters Referred by the APVMA (selected)**

**6.1 Carbendazim and Thiophanate-Methyl**

Benomyl, Carbendazim and Thiophanate-Methyl are broad-spectrum Benzimidazole fungicides. Benomyl is rapidly and extensively converted to Carbendazim in mammals. Thiophanate-methyl also converts to Carbendazim in mammals, although to a lesser extent. In addition to its agricultural applications, Benomyl was also used as a fungicide in paint.

The Committee recommended that:

The Carbendazim scheduling be amended to Schedule 7 on the grounds that it was a developmental toxicant in laboratory animals in the absence of maternal toxicity and that the mechanism of toxicity may be relevant to humans.

All registered Carbendazim products should bear the warning "Contains Carbendazim which causes birth defects and (irreversible) male infertility in laboratory animals. Avoid contact with Carbendazim".

Thiophanate-Methyl, Benomyl and Carbendazim belong to the same chemical class and have been examined in relation to their potential as mitotic spindle poisons which can induce teratogenic effects and possibly testicular toxicity. In contrast to Benomyl and Carbendazim, Thiophanate-Methyl did not induce teratogenic effects in laboratory animals ..... Thiophanate-Methyl had only a low aneugenic potential *in vitro* and *in vivo* studies. There was no evidence that Thiophanate-Methyl caused carcinogenicity. The absence of testicular and teratogenic effects in reproductive and developmental studies following treatment of animals with Thiophanate-Methyl could be attributable to low metabolic conversion to Carbendazim.

With the inhalation toxicity being taken into consideration, Thiophanate-Methyl might more appropriately be placed in Schedule 6 with a cut-off to Schedule 5 was proposed at 25 per cent. based on a moderate inhalation toxicity.

Committee Members concluded that the reproductive toxicity of Carbendazim merited concern and warranted rescheduling of Carbendazim to Schedule 7.

**6.3 Ipconazole**

Ipconazole is a triazole fungicide used as a seed treatment on various crops, turf-grass, ornamentals (including flowers and shrubs) and conifers. Ipconazole impairs the biosynthesis of Ergosterol, leading to accumulation of 14- $\alpha$ -Methylsterols, impairing the functions of certain membrane-bound enzyme systems such as Adenosine TriPhosphate (ATPase), thus inhibiting the growth of fungi.

Members generally agreed that the toxicity profile of Ipconazole clearly warranted a Schedule 6 parent entry, particularly the oral and inhalation toxicity and eye irritancy potential. There was no reliable evidence that Ipconazole was a developmental toxicant.

The Committee created a cut-off from Sched 6 to Sched 5 for products containing 2 per cent or less of Ipconazole.

**6.4 S-Absciscic Acid**

S-absciscic acid is a monocyclic sesquiterpene plant hormone that naturally occurs in plants and is part of the normal human diet. S-absciscic acid is involved in many major processes during plant growth and development and also plays a role in the developmental of pigments in fruits including grapes. It has some chemical structural similarity to the retinoids (monocyclic terpenoids) which include vitamin A.

The primary toxicological concerns were related to acute toxicity and to the potential for developmental toxicity following a single, or a few, high doses. However the developmental study for s-AbsciscicAcid found no developmental effects.

With the available toxicology information, the evaluator determined that s-absciscic acid was not classified as a hazardous substance according to NOHSC Approved Criteria for Classifying Hazardous Substances.

Based on the details of the eye irritancy studies in the evaluation report, the eye irritation caused by s-Absciscic Acid was in fact chemically induced eye damage and not simply physical damage. The Committee therefore generally agreed that the eye irritation was sufficiently significant to make a Schedule 5 entry appropriate.

<http://www.tga.gov.au/ndpsc/record/rr200910.pdf>

- **Unsafe Handling of Farm Chemicals  
Pose a Health Risk To Farming Communities**

Dr Liz Hanna, from the National Centre for Epidemiology and Population Health at the Australian National University, told the "Know Cancer in the Workplace" forum hosted by Cancer Council Australia and the ACTU, that her study (2003) of 1050 farming households in north east Victoria found that 95 per cent of households were using agricultural chemicals, yet only 40 per cent of farmers had undertaken a chemicals user course.

According to Dr Hanna, the level and frequency of chemicals use was extremely high, with 84 per cent of farmers applying chemicals at least weekly during the high season.

Cont.

Other findings of concern included:

- 70% of farmers worked closely enough to get chemicals on their skin and/or inhale fumes
- 64% sometimes, rarely or never wore protective clothing when applying chemicals
- 86% had spray drift on their skin and clothes from other people using chemicals

Chemicals also got into the water supply via spray drifting on to roofs with water tanks, or seeping into aquifers supplying bore water.

"Farmers are not going to stop using chemicals, so we need to make their usage as safe as possible. That means ensuring the safest chemicals are available, that guidelines are set and safe chemicals handling is always applied."

From Cancer Council Australia Media Release 10 Dec 09.

At: [www.cancer.org.au/Newsmedia/mediareleases/mediareleases2009/10December2009-1.htm](http://www.cancer.org.au/Newsmedia/mediareleases/mediareleases2009/10December2009-1.htm)

## Food Chemical Issues

### • FSANZ and Genetically Modified (GM) Food

Extracts from the periodical letter from FSANZ Chief Scientist Dr Paul Brent, [Spring 2009 Issue 70 of Food Standards News](#).

"We refer to them (GM foods) as 'novel' foods because, unlike conventional foods that we have been safely eating since humans first learned to walk upright, GM foods are created by scientists who extract a gene from, say, one plant, and insert it into another so the resulting plant has more desirable characteristics than either of the original ones have on their own."

"A big criticism of our work when we're deciding whether a new GM food is safe is that we don't do our own research and rely on that provided by the manufacturer. It's a good point, though it misses the fact that even before a manufacturer starts work on modifying a plant, we tell them exactly what information they will have to give us before we'll even consider giving it the thumbs up." "If there's even a slight suggestion the food isn't safe, we won't recommend it be allowed."

"... manufacturers know how stringent our standards are so they don't even bother to ask us to approve a food unless they know that it will meet our safety requirements."

"... FSANZ is not the only agency monitoring GM foods." "In Australia, ... the Office of the Gene Technology Regulator scrutinises the GM plant from which the manufacturer intends to make food. The OGTR licences companies to create GM organisms but won't do so unless it is satisfied that there are no risks to the health and safety of people and the environment from growing them."

GM Foods Info: [www.foodstandards.gov.au/newsroom/factsheets/gmfactsheets.cfm](http://www.foodstandards.gov.au/newsroom/factsheets/gmfactsheets.cfm)

From: [www.foodstandards.gov.au/educationalmaterial/newsroom/foodstandardsnews/foodstandardsnews70s4549.cfm](http://www.foodstandards.gov.au/educationalmaterial/newsroom/foodstandardsnews/foodstandardsnews70s4549.cfm)

Editor's Note: I included this Note to help up understand how FSANZ manage GM Food applications, and to encourage everyone to understand this hotly debated issue.

You can track all Applications (including GM) to FSANZ at [www.foodstandards.gov.au/foodstandards/applications/](http://www.foodstandards.gov.au/foodstandards/applications/),

## Agricultural & Veterinary Chemicals

### • Managing Ag & Vet Chemicals in Australia

The Product Safety & Integrity Committee (PSIC) of the Primary Industries Ministerial Council coordinates national approaches for managing potential risks to food safety, public & occupational health, trade & the environment from:

- agricultural and veterinary chemicals (pesticides and veterinary medicines)
- fertilizers and animal feedstuffs
- environmental contaminants and residues in primary production systems.

The main focus of PSIC's work has been in the area of agricultural and veterinary chemical management and it has published a brochure explaining Australia's national system for managing agricultural and veterinary chemicals.

**Download 'An Overview of Australia's National System for Managing Agricultural and Veterinary Chemicals'**

[http://www.daff.gov.au/data/assets/pdf\\_file/0003/183522/agvet\\_brochure\\_final.pdf](http://www.daff.gov.au/data/assets/pdf_file/0003/183522/agvet_brochure_final.pdf) (6 page brochure)

From: [www.daff.gov.au/agriculture-food/food/regulation-safety/ag-vet-chemicals/domestic-policy/psic](http://www.daff.gov.au/agriculture-food/food/regulation-safety/ag-vet-chemicals/domestic-policy/psic)

## • APVMA Biopesticides Working Group: 20 Nov 09

In recognition of the growing demand for Agricultural Biological Products (Biopesticides), the APVMA established the Agricultural Biological Products Working Group.

The Group consists of APVMA evaluators who have a special interest in Biopesticide products. They will provide a specific focus and a single point of contact for stakeholders regarding the regulation of Biopesticides.

The Working Group [terms of reference](#) (2 pages) provides a consistent framework in which to operate & guide members on their role. It defines a Biopesticide and has contact details.

Definition: "A biological chemical product is an agricultural chemical product where the active constituent comprises or is derived from a living organism (plant, animal, micro-organism, etc.), with or without modification. This includes many products that are commonly referred to as 'botanicals', 'organics' or 'herbals' (where the active constituent comprises an extract derived from an organism rather than the whole organism, it may be accompanied by unidentified components)."

Contact: Jay Kottege Principal Evaluator Pesticides  
ph: 02-6210-4759, email [Jay.Kottege@apvma.gov.au](mailto:Jay.Kottege@apvma.gov.au)

From: [www.apvma.gov.au/news\\_media/news/2009/2009-11-20\\_biopesticides.php](http://www.apvma.gov.au/news_media/news/2009/2009-11-20_biopesticides.php)

## • APVMA Fact Sheets from Sept 2008

These fact sheets give a 2 to 4 page overview of the APVMA. Some that caught my interest are:

- [About us](#)
- [Chemicals & Food Safety](#)
- [Compliance with the Law](#)
- [Registration Process](#)
- [Review of Agricultural & Veterinary Chemicals](#)

From: [www.apvma.gov.au/publications/fact\\_sheets/index.php](http://www.apvma.gov.au/publications/fact_sheets/index.php)

## • APVMA Regulatory Update Newsletters Oct-Dec 09

Issues that got my attention:

#85: The United States Environmental Protection Agency (US EPA) has announced a [comprehensive re-investigation](#) of the health impacts of the herbicide atrazine.

#86: The Persistent Organic Pollutants Review Committee (POPRC) of the Stockholm Convention on Persistent Organic Pollutants met in Geneva and [agreed that the insecticide endosulfan satisfied the criteria as a persistent organic pollutant](#).

#86 The Guideline for the Registration of Agricultural Adjuvant Products (Adjuvant Guideline) is now available in [Volume 4 of Manual of Requirements and Guidelines \(MORAG\)](#).

The adjuvant definition below is from the Guideline at:  
[www.apvma.gov.au/publications/guidelines/docs/adjuvant\\_guideline.pdf](http://www.apvma.gov.au/publications/guidelines/docs/adjuvant_guideline.pdf)

"Adjuvants are captured within the definition of an agricultural chemical product because they are substances or mixtures of substances that directly modify the effect of another chemical product such as a herbicide, fungicide or insecticide.:

#87: A Victorian manufacturer and supplier of companion animal products [was fined on Friday 23 October](#) (\$1000) for a serious breach of Australian agricultural and veterinary chemical laws for supplying unregistered veterinary products.

#88: The Standard for the [active constituent pyrethrum extract](#) has become effective from 12 Nov 2009.

From: [www.apvma.gov.au/news\\_media/newsletters/regulatory\\_update.php](http://www.apvma.gov.au/news_media/newsletters/regulatory_update.php)

## • APVMA Consultative Committee: Emerging Issues

The APVMA Community Consultative Committee (CCC) Members discussed how emerging issues could be better communicated to the APVMA by members of the CCC. The CCC has a firm view that bringing emerging issues to the attention of the APVMA is a major role and helps the APVMA to be aware of community views and concerns regarding agricultural and veterinary chemicals in areas such as 'safe use', 'adverse experiences', 'confidence in APVMA processes' and 'emerging issues'.

A new matter had been raised by the RSPCA with the CCC – inclusion of humaneness considerations in the registration of new products for the control of pest animals. A new report is available: [A model for assessing the relative humaneness of pest animal control methods \(external site\)](#). [Under the Australian Animal Welfare Strategy, the NSW Department of Primary Industries' Vertebrate Pest Research Unit, developed this model for assessing the relative humaneness of pest animal control methods.

[www.daff.gov.au/data/assets/pdf\\_file/0008/929888/humaneness-pest-animals.pdf](http://www.daff.gov.au/data/assets/pdf_file/0008/929888/humaneness-pest-animals.pdf) (The 47 page Model document)

From: <http://melonmail.melon.com.au/em/message/email/view.php?id=563065&u=2919>

More information on the APVMA CCC can be found at:

[www.apvma.gov.au/about/committees/consultative/index.php#membership](http://www.apvma.gov.au/about/committees/consultative/index.php#membership)

- **NZ: Evaluating Effects of Pesticides on Bees, etc**

ERMA New Zealand seeks to clarify the information required to assess the safety of new pesticides (other than bio-pesticides) to bees and other beneficial invertebrates.

ERMA New Zealand has reviewed the tiered approach adopted in the European Union EPPO Standard Chapter 9 Non-target terrestrial arthropods and prepared draft data requirements for evaluating the effects of chemical pesticides on bees and beneficial invertebrates. as described in the discussion paper.

Comment to Samantha Smith by 26 Feb 2010 via email: [submissions@ermanz.govt.nz](mailto:submissions@ermanz.govt.nz).

For queries on the content contact: Noel McCardle, Senior Advisor, ERMA New Zealand, ph: +64-4-918-4867 or [Noel.McCardle@ermanz.govt.nz](mailto:Noel.McCardle@ermanz.govt.nz).

From: [www.ermanz.govt.nz/consultations/consult-invertebrates.html](http://www.ermanz.govt.nz/consultations/consult-invertebrates.html)

- **NZ Review of the Fumigant Methyl Bromide**

Methyl Bromide is an ozone-depleting gas used primarily for the quarantine and pre-shipment treatment of timber, logs and other produce, both for export and import, to kill a wide range of pests.

In July 2008, ERMANZ decided there were grounds to reassess the substance because of increased use & community concern.

The [application for reassessment](#) (123 page pdf) sets out the results of this review and includes the preliminary recommendation that Methyl Bromide be re-approved in the medium term for quarantine and pre-shipment purposes only, with tighter controls on its use. As yet there is no single alternative to Methyl Bromide but research into alternatives and large-scale recapture of the gas is ongoing. An [Executive Summary](#) (10 pages) is available.

The review also considered community concerns about the possible health effects of the fumigant on users and bystanders unintentionally exposed to it at ports.

Acceptance of Phosphine by India and the acceptance of reduced Methyl Bromide fumigation rates by China could see a significant reduction in the amount of Methyl Bromide.

For information, contact:

Sarah Kenward, ph:+64-4-918-4813, mob: +64-21-976-853, email: [sarah.kenward@ermanz.govt.nz](mailto:sarah.kenward@ermanz.govt.nz) or

Philip Keating, ph: +64-4-918-4846, mob: +64-274-464-727, email: [philip.keating@ermanz.govt.nz](mailto:philip.keating@ermanz.govt.nz).

From: [www.ermanz.govt.nz/news-events/archives/media-releases/2009/mr-20091105.html](http://www.ermanz.govt.nz/news-events/archives/media-releases/2009/mr-20091105.html)

- **Editor: Keeping APVMA Labels Accurate for Risk**

*This article is by Jeff Simpson, Haztech Environmental.*

It emerged at the recent Safe Work Australia Labelling Workshop on 23 Nov 2009, that APVMA Labels once approved, do not have an explicit update/review requirement.

I asked a question about what happens when new hazardous effects become known for ingredients other than the active (as APVMA tracks the active's hazardous effects).

The response was that it is each company's responsibility under the Regulations, to approach the APVMA for a review to be done. When asked how many such reviews have the APVMA been approached to do for existing approved formulations, it seemed that not many (and maybe none) had been requested for already approved formulations that had not changed in any other way.

As there are many similar approved formulations the above process seems quite unwieldy and onerous for companies with approved formulations and a new hazardous effect.

As the APVMA are taking the responsibility to decide what is on a Risk Based label I personally regard that it is the APVMA's responsibility to at least track all the clearly defined ingredients, and where new hazardous effects become known, to activate the process for new labels.

Whilst this is being done, the APVMA should require that each company affected, in the interim, add the new hazardous effect(s) to each of the approved labels (using the precautionary principle), to protect users.

For example N-Methyl Pyrrolidone (CAS 872-50-4) in the EU 31<sup>st</sup> ATP gained a Toxic R61 May cause harm to the unborn child. Applying the hazardous substance classification criteria means that all industrial chemical products with this ingredient at more 0.5% are now to be labelled as Toxic R61. The same should occur for APVMA approved formulations.

I am looking forward to the APVMA adjusting their Risk based Labelling process, to accommodate such newly advised hazardous effects, so that users may then take additional protective actions (if needed), whilst a review occurs.

Please send any comment to me at [Jeff.Simpson@haztech.com.au](mailto:Jeff.Simpson@haztech.com.au) and also to the APVMA [Changes@apvma.gov.au](mailto:Changes@apvma.gov.au) (this is clearly a changed detail).

## Dangerous Goods

- **HB 76: DG Initial Emergency Response Guide**

Following my comment in the June-August 2009 Notes, it has now been arranged that the Standards New Zealand Standards will update their SNZ HB 76: 2008: Dangerous Goods - Initial emergency response guide, as a joint AS / NZS HB 76, to align with UN 16. This process is likely to take until about May or June 2010.

In the interim, Standards Australia is arranging with Standards New Zealand to prepare an Addendum to AS HB 76: 2004 with the additional UN No.s needed for the Australian Dangerous Goods Code 7<sup>th</sup> Edition.

This Addendum will probably become available from the New Zealand website by the end of January 2010 at: <http://www.standards.co.nz/> probably under "Transportation".

It is also likely to be available on Standards Australia website.

When available, I will alert everyone who receives my Notes.

- **USA Chemical Safety Board Investigations Completed Investigations**

This site allows you to look at a particular incident under the 'investigations' box, or search across all their incidents under the "accident type" box. The most recent incidents on the first page as you open the webpage below.

[www.chemsafety.gov/investigations/investigations.aspx?Type=2](http://www.chemsafety.gov/investigations/investigations.aspx?Type=2)

- **T2 Laboratories Inc. Reactive Chemical Explosion**

On 19 Dec 07, four people were killed and 13 others were transported to the hospital when an explosion occurred at T2 Laboratories Inc. during the production of a gasoline additive called MethylCyclopentaDienyl Manganese Tricarbonyl.

[www.chemsafety.gov/investigations/detail.aspx?SID=8&Type=2&pg=1&](http://www.chemsafety.gov/investigations/detail.aspx?SID=8&Type=2&pg=1&)

- **Chemical Reactivity Hazards Control & Prevention**

These sites are referred to by the USA CSBI site

[www.osha.gov/SLTC/reactivechemicals/solutions.html](http://www.osha.gov/SLTC/reactivechemicals/solutions.html)

[www.epa.gov/oem/content/learning/chemical\\_hazards.htm](http://www.epa.gov/oem/content/learning/chemical_hazards.htm)

- **Managing Chemical Reactivity Hazards**

**Essential Practices:** The electronic on-line version of this book is made freely available thanks to the support of OSHA, the US EPA, CCPS, the American Chemistry Council, the Synthetic Organic Chemical Manufacturer's Association and Knovel Corporation.

Free Online at: <http://info.knovel.com/ccps/>

- **NSW Provisional Emergency Arrangements A Guide for Major Hazard Facilities**

An 8 page guide to operators of Major Hazard Facilities (MHFs) on how to comply with their obligations under clauses 175P(1)(d) and 175P(1)(e) of the *NSW Occupational Health and Safety Regulation 2001*, which relate to the preparation and implementation of Provisional Emergency Arrangements. For MHFs that were provisionally registered at 1 Aug 2009, this information should be provided to WorkCover's MHF Team by 31 Dec 2009.

*Provisional emergency arrangements for major hazard facilities: Guide. Publication No. 2246 (174 Kb pdf)*

From: [www.workcover.nsw.gov.au/OHS/DangerousGoods/MajorHazardFacilities/Pages/default.aspx](http://www.workcover.nsw.gov.au/OHS/DangerousGoods/MajorHazardFacilities/Pages/default.aspx)

- **UN Model DG Regulations 16<sup>th</sup> Edition - online**

UN Recommendations on the Transport of Dangerous Goods - Model Regulations, Sixteenth revised edition, is now available as 12 downloadable pdf files. These should be put into one directory to make searching across them easy with pdf readers.

[www.unece.org/trans/danger/publi/unrec/rev16/16files\\_e.html](http://www.unece.org/trans/danger/publi/unrec/rev16/16files_e.html)

- **UN GHS 3<sup>rd</sup> Revised Edition - online**

Globally Harmonized System of Classification and Labelling of Chemicals (GHS), Third revised edition, is now available as 15 downloadable pdf files. These should be put into one directory to make searching across them easy with pdf readers.

[www.unece.org/trans/danger/publi/ghs/ghs\\_rev03/03files\\_e.html](http://www.unece.org/trans/danger/publi/ghs/ghs_rev03/03files_e.html)

## Environmental Notes on Chemicals

### • Record Fine: Esperance Port Lead Contamination

Friday, 30 October 2009: Magistrate Greg Benn ..... handed down Western Australia's biggest penalty for pollution when he fined Esperance Port a total of \$525000, plus \$4771.70 costs, after convicting it on five charges relating to lead contamination in Esperance and one charge of emitting a nickel odour.

The charges against Esperance Port were laid by the WA Department of Environment and Conservation (DEC) after an investigation into lead contamination between December 2006 and March 2007.

Magistrate Greg Benn: "The community can draw confidence from the fact that, since this incident, the department's capacity to regulate industry has been greatly improved by the allocation of significant additional resources in the monitoring and compliance areas."

Charges 1 & 3- Caused Pollution Section 49(3) Environmental Protection Act 1986

*On or about December 11, 2006 caused pollution by emitting Lead Carbonate during the loading of the MV Lemmergracht.*  
Fined: \$280,000

*On or about March 5, 2007 caused pollution by emitting Lead Carbonate during loading of the MV Jin Pie.* Fined: \$190,000

Charges 2 & 4 - Failed to Notify Section 72(1) Environmental Protection Act 1986

*Failed to notify the CEO of the DEC of the discharge of Lead Carbonate waste which was likely to cause pollution (relates to charges 1 & 3 respectively).* Fined: \$30,000; Fined: \$15,000

From: [www.dec.wa.gov.au/news/department-of-environment-and-conservation/record-fine-for-esperance-port-lead-contamination.html](http://www.dec.wa.gov.au/news/department-of-environment-and-conservation/record-fine-for-esperance-port-lead-contamination.html)

Background: [www.dec.wa.gov.au/news/current-issues/esperance-lead-issue-updates.html](http://www.dec.wa.gov.au/news/current-issues/esperance-lead-issue-updates.html)

### • Chemical Monitoring Database

The Chemical Monitoring Database provides a snapshot of chemical monitoring activities in Australia. The primary focus is on activities monitoring the ambient environment. Note: Several types of monitoring activities have been excluded from the database, including contaminated sites, point sources and industry monitoring.

The database enables improved access to chemical monitoring data for the community, industry and government. It does not contain actual monitoring results - instead, it is a list of monitoring activities across Australia which users can then follow up with the relevant organisation. Online links are included where available.

The database primarily focuses on the monitoring of chemicals in the ambient environment, rather than point sources from industry or sewage treatment works. The database does not cover information included in the National Pollutant Industry (NPI) database which focuses on emissions of a specific set of pollutants. The monitoring data sets are restricted to publicly available data, as it is desirable that users are able to access the results.

Search at: [www.environment.gov.au/chmd\\_public/](http://www.environment.gov.au/chmd_public/)

Send suggested data to: [chemicals@environment.gov.au](mailto:chemicals@environment.gov.au).

For the NPI Database go to: [www.npi.gov.au/](http://www.npi.gov.au/)

From: [www.environment.gov.au/settlements/chemicals/monitoring/index.html](http://www.environment.gov.au/settlements/chemicals/monitoring/index.html)

### • EPHC National Waste Policy Statement: Nov 09

The Policy sets a clear direction for Australia over the next 10 years, toward producing less waste for disposal, and managing waste as a resource to deliver economic, environmental and social benefits. It will complement action to deliver greenhouse gas emission reductions, reduce energy and water use, support jobs, and invest in future long term economic growth.

It is presented in two parts.

PART ONE - CONTEXT – Introduction.

PART TWO - THE POLICY - National Waste Policy:  
less waste, more resources

There is a table of the 16 National Waste Policy Strategies, with Results and details of who is Responsible.

*Editor's Comment: Chemicals, Hazardous Waste and Pollutants have a high profile in this Policy statement.*

*Policy: [www.environment.gov.au/wastepolicy/publications/pubs/wastemgt\\_rpt\\_national\\_waste\\_policy\\_framework\\_less\\_waste\\_more\\_resources\\_final\\_200911.pdf](http://www.environment.gov.au/wastepolicy/publications/pubs/wastemgt_rpt_national_waste_policy_framework_less_waste_more_resources_final_200911.pdf) (21 pages).*

*National Waste Overview Nov09: [www.ephc.gov.au/sites/default/files/WasteMgt\\_Nat\\_Waste\\_Overview\\_FINAL\\_200911.pdf](http://www.ephc.gov.au/sites/default/files/WasteMgt_Nat_Waste_Overview_FINAL_200911.pdf)*

From: [www.environment.gov.au/wastepolicy/publications/national-waste-policy.html](http://www.environment.gov.au/wastepolicy/publications/national-waste-policy.html)

## Standards & Codes

- **Standards – Revised Development Approach**

Following recent, extensive stakeholder consultation, a revised approach to Standards Australia's way of operating has been developed in conjunction with, and supported by, the Commonwealth and major Member groups.

In November, Standards Australia announced the re-opening of its funded development pathways for new projects – the move has been supported by the Commonwealth and major member groups. This is in addition to other stakeholder funded development options.

The current task is to develop and agree a prioritisation framework and criteria for Standards Australia funded projects to ensure resources are allocated where they can deliver greatest benefit to the community.

The framework and criteria will be critical when demand for development of Standards Australia funded projects exceeds internal resources. This will enable fair and equitable decision-making and underpin clear and transparent processes.

This financial year current active projects remain the focus of support. All active projects will be supported, within acceptable timeframes, to completion.

From: [www.standards.org.au/downloads/Bulletin\\_5\\_Standards\\_Australia\\_041209.pdf](http://www.standards.org.au/downloads/Bulletin_5_Standards_Australia_041209.pdf) and

From: [www.standards.org.au/downloads/Bulletin\\_4\\_Standards\\_Australia\\_041109.pdf](http://www.standards.org.au/downloads/Bulletin_4_Standards_Australia_041109.pdf)

See also the Standards Australia Media Release 4 Nov 09:

[www.standards.org.au/downloads/091104\\_Business\\_Model\\_Revisions.pdf](http://www.standards.org.au/downloads/091104_Business_Model_Revisions.pdf) and this revision was welcomed by the Govt. at <http://minister.innovation.gov.au/Carr/Pages/GOVERNMENTWELCOMESREVAMPEDSTANDARDSPROCESS.aspx>

- **Standards – [www.saiglobal.com/shop](http://www.saiglobal.com/shop)**

**AS 2252.2-2009** Controlled Environments - Biological Safety Cabinets Class II – Design. ISBN 0-7337-9290-1, Published 2 Nov 2009, 15 pages, \$64.67 pdf, \$71.85 hardcopy.

**AS 2985-2009** Workplace Atmospheres - Method for Sampling and Gravimetric Determination of Respirable Dust. ISBN 0-7337-9291-X, Published 2 Nov 2009, 16 pages, \$64.67 pdf, \$71.85 hardcopy.

**AS 3640-2009** Workplace Atmospheres - Method for Sampling and Gravimetric Determination of Inhalable Dust. ISBN 0-7337-9292-8. Published 2 Nov 2009, 15 pages, \$64.67 pdf, \$71.85 hardcopy.

**AS/NZS ISO 31000:2009** Risk Management - Principles and Guidelines. Identical to ISO 31000-2009, originally AS/NZS 4360. ISBN 0-7337-9289-8, Published 20 Nov 2009, 24 pages, \$87.62 pdf, \$97.35 hardcopy.

**ISO/IEC 31010:2009** Risk Management - Risk Assessment Techniques. Published 1 Dec 2009, 176 pages, \$287.11 pdf \$319.01 hardcopy.

**BS 8468-3.2:2009** Respiratory protective devices for use against chemical, biological, radiological & nuclear (CBRN) agents. Air-purifying devices incorporating a hood for escape. Published 30 Nov 2009, 34 pages, \$261.05 hardcopy.

**BS EN 60079-0:2009** Explosive atmospheres. Equipment. General requirements. Published 30 Nov 2009, 106 pages, \$359.42 hardcopy.

**BS EN 60079-10-2:2009** Explosive Atmospheres Classification of Areas. Combustible Dust Atmospheres. Published 31 Oct 2009, 38 pages, \$261.05 hardcopy.

**DIN EN ISO 14040 (2009-11)** Environmental management - Life cycle assessment - Principles and framework (ISO 14040:2006). Published 1 Nov 2009, 44 pages, \$182.28 pdf \$202.54 hardcopy.

- **Drafts – [www.saiglobal.com/shop](http://www.saiglobal.com/shop)**

*Note:* The method for submission of comment on draft documents is to register & fill in an online form via Standards Hub Website. Instructions and examples of comment submission are available on the website. Use the link

<https://www.hub.standards.org.au/hub/public/listOpenCommentingPublication.action>

*Note:* Comment must be via Hub, any emails or forms sent to us by fax or mail will not be considered by the Committee when it reviews the Public Comment received.

*Drafts Cont.*

**DR AS 4825** Tunnel Fire Safety. Committee: FP-023, Comment Closes: 12 Feb 2010, Draft Published 27 Nov 2009, 75 pages, Free pdf, \$31.25 hardcopy.

The Standard applies to road, rail and bus vehicles and the fuels or sources of energy used to convey those vehicles through the tunnel involved.

*Note:* This Standard does not cover transportation of Dangerous Goods through tunnels. Such transportation of Dangerous Goods usually involves a comprehensive risk assessment as to the optimum alternative transportation route & other safety considerations.

*Editor's Note:* I thought it relevant to include this draft standard, as non-placarded quantities of Dangerous Goods ARE transported through tunnels, and tunnel safety may then be compromised.

**09/30209043 DC BS EN 13922.** Tanks for Transport of Dangerous Goods. Service Equipment for Tanks. Overfill prevention systems for liquid fuels. Draft Published 18 Nov 2009, 31 pages, \$37.83 hardcopy.

**ISO/FDIS 16972** Respiratory Protective Devices - Terms, Definitions, Graphical Symbols and Units of Measurement. Draft Published 30 Oct 2009, 37 pages, \$154.95 pdf \$172.16 hardcopy.

## Seminars, Conferences

- **ICONN 2010: Nanoscience & Nanotech, Feb 2010**

The International Conference on Nanoscience and Nanotechnology (ICONN) will be held 22-26 February 2009 in Sydney. Cost \$1500. Contact ph: 02-8249-4777.

From: [www.ausnano.net/iconn2010/](http://www.ausnano.net/iconn2010/)

- **Ecoforum Conference & Exhibition, 23-24 Feb 2010**

Remediation – Water - Climate Change - Waste.  
Australian Technology Park, Sydney NSW.

From: [www.ecoforum.net.au/2010/](http://www.ecoforum.net.au/2010/)

- **ChemCon Europe 2010, Prague, 1-5 March 2010**

ChemCon provides information on current and emerging chemical regulations covering the reporting and testing of new chemicals, chemical inventories and the evaluation of existing chemicals, classification and labelling, risk management, hazard communication & product registration.

Contacts: ph: +31-24-3284-988, email: [office@chemcon.net](mailto:office@chemcon.net)

From: <http://www.chemcon.net/>

- **Risk 2010 - 11-12 March 2010, Melbourne**

Delivering Major Initiatives in: Infrastructure; Crisis Management; Regulatory; Project Management; Case Studies; Societal Issues.

Contact: [Geoff.Hurst@vu.edu.au](mailto:Geoff.Hurst@vu.edu.au)

From: [www.engineersaustralia.org.au/index.cfm?350AA99A-FF7C-3DA1-655F-0522841E47C1](http://www.engineersaustralia.org.au/index.cfm?350AA99A-FF7C-3DA1-655F-0522841E47C1)

- **Safety In Action, 20-22 April 2009, Melbourne**

From: [www.safetyinaction.net.au/safety-in-action-melbourne](http://www.safetyinaction.net.au/safety-in-action-melbourne)

- **Hazmat 2010, Melbourne, 5-6<sup>th</sup> May 2010**

Hazmat 2010 will be held in Melbourne (at the Darebin Arts Centre), on 5&6<sup>th</sup> May 2009. A Hazmat 2010 Conference exhibitor's/sponsor brochure is now available at:

<http://www.fpa.com.au/events/?events=hazmat>

The Program will be available electronically in late January, and the hardcopy in early February 2010.

Please contact Chris Dayson, Events Manager, FPAA, ph: 03-9890-1544 Email: [ChrisDayson@fpa.com.au](mailto:ChrisDayson@fpa.com.au).

- **Enviro 2010, 21-23 July 2010, Melbourne**

Conference & Exhibition: Solutions for a Sustainable Future.

From: [www.enviro2010.com.au/2010/program.html](http://www.enviro2010.com.au/2010/program.html)

**Haztech Environmental:** Chemical Hazard Classifications done & reviewed. MSDSs prepared & reviewed. Labels prepared & reviewed. Chemical Control & Safety Regulatory Compliance: checked for NICNAS, TGA, FSANZ, TGA; prepared & reviewed for Dangerous Goods & Combustible Liquids, Workplace Hazardous Substances, Environmentally Hazardous Substances, Scheduled Poisons, and other Chemical and Physical Hazards.

*I can come and work in your office*, which provides better access to data with improved security, plus good technical contact with relevant personnel. This allows the work to be done more quickly and comprehensively. *I also work from my home office*, in Ashburton, Victoria, where I maintain an extensive reference library, developed over 18+ years whilst preparing these Notes.

**Contact:** Jeff Simpson, Hazardous Materials & Regulatory Affairs Consultant, Haztech Environmental, 18 Laurel St, Ashburton 3147, Australia, 61-(0)3-9885-1269, 61-(0)403-072-092, [Jeff.Simpson@haztech.com.au](mailto:Jeff.Simpson@haztech.com.au)

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