



Government of **Western Australia**
Department of **Mines and Petroleum**
Resources Safety

Approval of consultants to assess and endorse dangerous goods site licence applications – guide

September 2011

Level 1, 303 Sevenoaks Street (cnr Grose Ave), Cannington WA 6107
Postal address: Mineral House, 100 Plain Street, East Perth WA 6004
Telephone: (08) 9358 8002 Facsimile: (08) 9358 8000
ResourcesSafety@dmp.wa.gov.au
www.dmp.wa.gov.au www.wa.gov.au

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Introduction

When someone applies for a licence for a dangerous goods site, regulation 26(2) of the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007 requires that the application must be in an approved form and accompanied by:

- a location plan showing the position of the dangerous goods site relative to any roads, railways and buildings;
- a draft of the manifest and site plan; and
- a written report (risk assessment) prepared by either the applicant or an “approved person” demonstrating that the dangerous goods site can be operated in accordance with the legislation and, in any event, with minimal risk to people, property and the environment.

For the purposes of regulation 26(2)(c)(ii), people not employed by Resources Safety may be approved by the Chief Officer to assess and endorse the written report supporting a dangerous goods site licence application for both new facilities and modification to existing facilities (Appendix 1). Such people are referred to as accredited consultants.

This document outlines how a person can become an accredited consultant in Western Australia. It covers the requirements for approval by the Chief Officer, and the standards of assessment required to maintain accreditation status.

Only individuals, not companies, can be accredited and therefore accreditation is not transferable within an organisation.

Note: Where company accreditation was granted before 1 March 2009, it will be converted to an individual accreditation for the responsible officer at the time of renewal.

Application requirements

Application

A person applying for approval as an accredited consultant must submit:

- a completed application form, with relevant fields completed and declaration signed by applicant;
- a signed *Accredited consultant's charter* form;
- a certified copy of evidence of relevant degree in science or engineering from an Australian institution or equivalent;
- written confirmation that the applicant is a resident of and operates in Australia;
- a copy of the consultant's procedure for the review and endorsement of dangerous goods storage and handling proposals (including a flowchart on how the review and endorsement process will operate; see Appendix 1);
- details of training and experience relevant to the Class(es) or Division(s) of dangerous goods for which accreditation is being sought, such as:
 - contributions to the preparation of industry codes or standards relating to the storage and handling of dangerous goods; and
 - details of recent installations (and the companies involved) that required the application of regulations and approved codes of practice relating to the storage and handling of dangerous goods;
- details of records management for storage and handling proposals (i.e. how assessment records will be kept for audit by Dangerous Goods Officers);
- draft compliance checklist(s) to the relevant approved code(s) of practice (e.g. Australian Standards AS1940, AS1596); and

- list of publications relating to regulations, Australian Standards and codes held by the consultant (e.g. in company library).

Submission

The completed application form and supporting material for assessment should be submitted:

- by post to Principal Dangerous Goods Officer, Resources Safety, Department of Mines and Petroleum, 100 Plain Street, East Perth WA 6004;
- by fax to 08 9358 8000;
- by email to dgsb@dmp.wa.gov.au; or
- in person at Resources Safety, Level 1, 303 Sevenoaks Street, Cannington.

Approval process

A Dangerous Goods Officer will do an initial assessment of the application, taking into consideration the applicant's credentials, suitability of procedures and information provided for the Classes or Divisions of dangerous goods requested.

Following the initial review, the applicant will be interviewed to confirm the knowledge and experience related to the dangerous goods Classes or Divisions for which accreditation is being sought.

If the applicant is considered suitable, the Chief Officer will approve provisional accreditation for one year.

Once approved, a written notice, certificate of accreditation and a unique accreditation number will be issued to the accredited consultant. The consultant is required to develop a stamp incorporating the unique accreditation number, consultant's name and company logo (if applicable) to be used when endorsing site licence submissions (see Fig. 1).

Consultant name

Accreditation No. **XXX XXX**

Expiry DD/MM/YYYY

*I certify that this proposal complies with the
Dangerous Goods Safety (Storage and Handling of
Non-explosives) Regulations 2007*

Signature of Date

Figure 1 Example of endorsement stamp for use by accredited consultant.

During the provisional accreditation period, the first three to five endorsed site licence submissions will be audited by a Dangerous Goods Officer to confirm compliance with the standards outlined in the records management section of Resources Safety's *Guidance Note S02/09 – Risk assessment for dangerous goods*. Subject to the demonstration of satisfactory performance in the provisional year (i.e. no major non-conformance are identified by the Dangerous Goods Officer), full accreditation may be granted for up to three years, during which audits will be conducted at random.

Maintaining accreditation status

There will be random audits of consultant-endorsed licence applications during the accreditation period.

Where minor non-conformances are identified, the consultant will be advised in writing, with corrective action to be applied in future endorsements.

Where major non-conformances are identified, the consultant will be contacted to organise a face-to-face meeting with Resources Safety to discuss the non-conformances and what actions will be put in place to prevent future non-conformances. The meeting will be attended by the Dangerous Goods Officer(s) who undertook the audit, the Principal Dangerous Goods Officer and the Director Dangerous Goods Safety. The consultant's accreditation status will be changed to provisional and a further three to five endorsed licence applications will be reviewed.

If satisfied after this further review that the non-conformance issues have been adequately addressed, the Chief Officer will reinstate full accreditation.

If the matter is not resolved then the Chief Officer may cancel the consultant's accreditation. The consultant will be advised in writing.

Accreditation renewal

Consultants need to apply for renewal of accreditation before the expiry date. Resources Safety will send an accreditation renewal package two months before the expiry date.

If performance has been satisfactory in the preceding three years, a recommendation will be made by the Director Dangerous Goods Safety to the Chief Officer to approve the continuation of accreditation.

If performance is unsatisfactory then the reviewing Dangerous Goods Officer will arrange a meeting with the consultant, Principal Dangerous Goods Officer and the Director Dangerous Goods Safety to discuss concerns, change the accreditation status to provisional, and review a further three to five licence applications endorsed by the consultant. Full accreditation may be renewed if performance is considered satisfactory. If not, the Chief Officer may decide to withdraw approval and cancel the accreditation.

Failure to apply for renewal before the expiry date will lead to cancellation of accreditation. The consultant may reapply for approval at a later date but they will be assessed as a new applicant and the full application requirements will apply.

If the consultant has not submitted any endorsed applications in the previous accreditation period then accreditation will be:

- cancelled unless the consultant can provide evidence showing evidence he or she has continued acquiring experience and training in dangerous goods safety;
- granted on a provisional basis for 12 months to allow auditing of the next three to five applications to determine whether full accreditation can be granted; or
- granted for a period up to three years where satisfactory evidence of maintaining relevant experience and training is provided.

Cancellation of accreditation

Approval as an accredited consultant is cancelled:

- upon request by a consultant;
- if the consultant does not send the completed re-accreditation package by the accreditation expiry date;
- if the consultant has not endorsed an application in the previous accreditation period, unless evidence is supplied showing they have continued acquiring relevant experience and training; or

- if there is evidence showing the consultant has failed to meet the standards as outlined in the records management section of *Guidance Note S02/09* or does not have suitable experience and knowledge of dangerous goods safety.

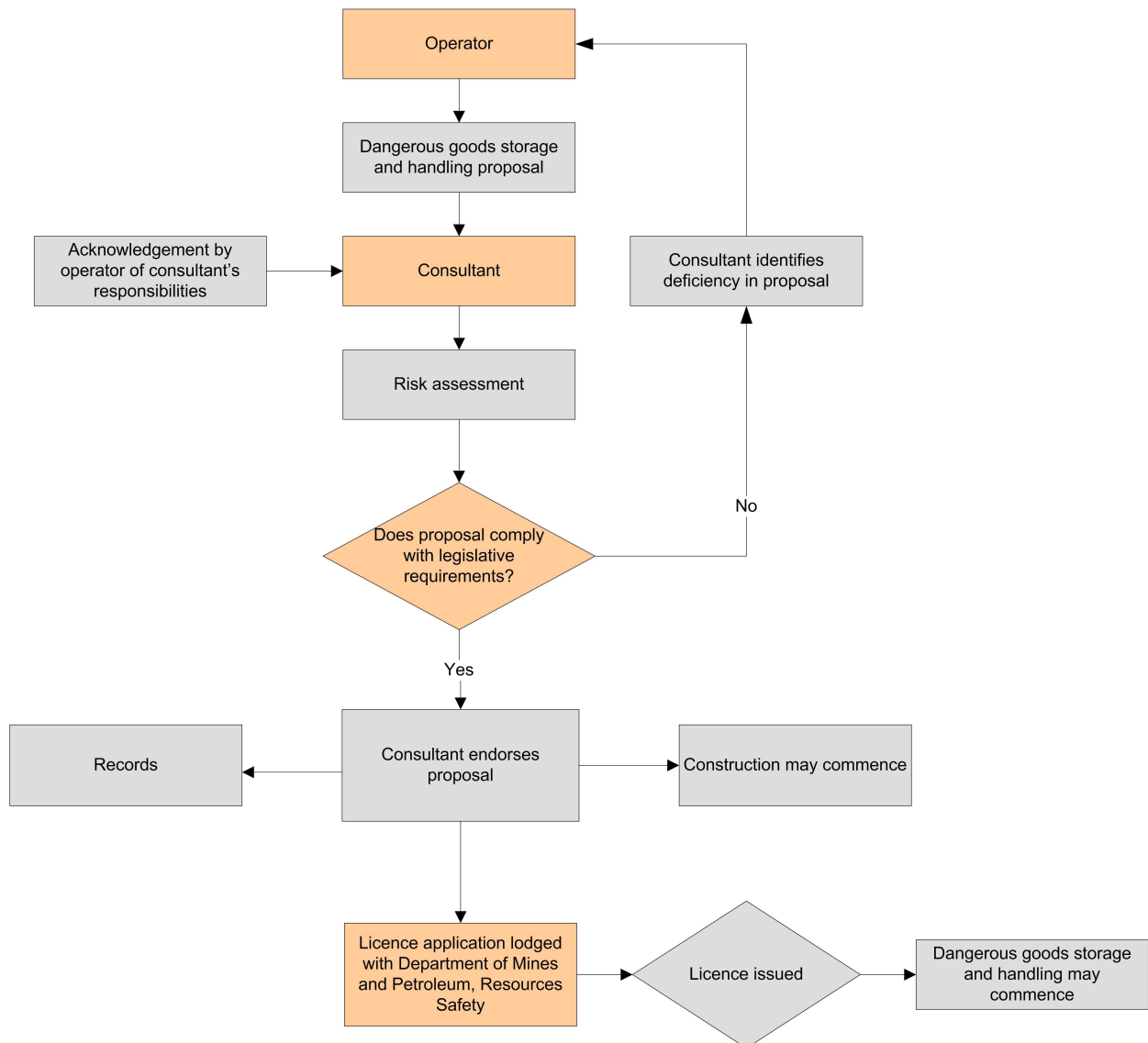
A person whose accreditation has been cancelled by the Chief Officer due to operating below the required standard cannot re-apply for accreditation for a period of 24 months from the date of the cancellation letter. They will then be given the opportunity to apply for accreditation by following the procedure as a new applicant. However, the applicant will be required to write to the Chief Officer stating the reasons why re-accreditation should be approved. The request must detail the steps that have been put in place to prevent recurrence of non-conformances.

Updates and information

Resources Safety periodically runs a Consultants' Forum and distributes an eCircular to update consultants on legislative requirements and discuss leading safety practices for dangerous goods.

The Dangerous Goods Safety Act and regulations are available from the State Law Publisher's website at www.slp.wa.gov.au

Appendix 1 – Role of accredited consultant in site licence application process



An application for a new dangerous goods site licence, or an amendment to an existing licence, which is endorsed by an accredited consultant, must be accompanied by:

- a cover sheet for the licence application;
- a covering letter explaining the proposed licence;
- a copy of the signed *Acknowledgement of the accredited consultant's responsibilities* form;
- current application form completed and signed with the correct licence fee (refer to the schedule of prescribed fees and charges for dangerous goods at www.dmp.wa.gov.au/ResourcesSafety); and
- assessment documentation:
 - a detailed location plan that shows the location of the site relative to roads, railways and buildings;

- detailed site plans (as per Schedule 3 of the regulations) of the site to be licensed;
- a risk assessment (see Guidance Note S02/09 – Risk assessment for dangerous goods);
- a draft copy of the manifest detailing all the dangerous goods stored and handled at the site (as per Schedule 3 of the regulations); and
- for sites greater than ten times manifest quantity, a special risk plan (refer to *Dangerous goods sites emergency planning – FESA special risk plan*, template available from www.dmp.wa.gov.au/ResourcesSafety).