



AGENDA – Asbestos Working Group

Date:	Friday 6 June 2014	Time:	9:30 – 10:30am
Venue:	Level 8 South, DG's Conference Room Mineral House – 100 Plain Street, East Perth		

Item No.	Item	Who
1.	Welcome and introductions	Chair
2.	Review terms of reference	Chair
3.	Overview of role of group and timeline	Chair
4.	Discussion - legislation for WA	Work Group
5.	Other business	Work Group
6.	Next Meeting: 26 June 2014 10:00am – 11:30am	

Information Papers:

- Working group membership
- Terms of reference

References:

- Provisions from the Mines Safety and Inspection regulations (Part 9):
[http://www.slp.wa.gov.au/pco/prod/FileStore.nsf/Documents/MRDocument:24517P/\\$FILE/Mines%20Safety%20and%20Inspection%20Regulations%201995%20-%20\[05-e0-03\].pdf?OpenElement](http://www.slp.wa.gov.au/pco/prod/FileStore.nsf/Documents/MRDocument:24517P/$FILE/Mines%20Safety%20and%20Inspection%20Regulations%201995%20-%20[05-e0-03].pdf?OpenElement)
- Provisions in the National Model Work Health and Safety Regulations (Chpt 8):



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

<http://www.safeworkaustralia.gov.au/sites/SWA/about/Publications/Documents/616/Model-WHS-Regulations-January-2014.pdf>

- SafeWork Australia Code of Practice on Management and Control of Asbestos:
<http://www.safeworkaustralia.gov.au/sites/swa/about/publications/pages/manage-control-asbestos-cop>
- SafeWork Australia Code of Practice Safe Removal:
<http://www.safeworkaustralia.gov.au/sites/swa/about/publications/pages/safely-remove-asbestos-cop>
- DMP website, link to Guideline on fibrous minerals Management, including asbestos:
<http://www.dmp.wa.gov.au/6751.aspx>



MINISTERIAL ADVISORY PANEL

Asbestos Working Group Members

Asbestos Working Group 3		
Name:		Representing:
Greg Stagbouer	General Manager HSEQ WPH	Australian Drilling Industry Association
David Todd	General Manager of HSEQ Macmahon Contractors	Chamber of Minerals and Energy of WA
Gary Wood	Secretary CFMEU Mining & Energy Division – WA District	Unions WA
Karin Lee	Manager, Safety and Risk Services Chamber of Commerce and Industry WA	Chamber of Commerce and Industry WA
Mike Rowe	Inspector of Mines – Health Department of Mines and Petroleum	Department of Mines and Petroleum



File No: A0864/201401

MEETING MINUTES – Asbestos Working Group

Date:	Friday 6 June 2014	Time:	9:30am to 10:30am
Venue:	Level 8 South, DG's Conference Room Mineral House – 100 Plain Street, East Perth		

Present

Mr Greg Stagbouer	Independent Chairperson, Principal Consultant, Meridio (representing Australian Drilling Industry Association)
Mr David Todd	General Manager of HSEQ, Macmahon Contractors (representing Chamber of Minerals and Energy WA -CMEWA)
Mr Gary Wood	Secretary, Construction Forestry Mining and Energy Union (CFMEU) Mining and Energy Division WA District (representing UnionsWA)
Ms Jennifer Low	Policy Advisor, Chamber of Commerce and Industry WA (CCI WA) (<i>Proxy for Karin Lee</i>)
Mr Mike Rowe	Inspector of Mines – Health, Department of Mines and Petroleum (DMP)
Ms Jennifer Shelton	Principal Policy Officer, Department of Mines and Petroleum (DMP)
Mr David Eyre	Senior Policy Officer, Department of Mines and Petroleum (DMP)

Apologies

Ms Karin Lee	Manager Safety and Risk Services, Chamber of Commerce and Industry WA (CCI WA)
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Agenda items

Item	Topic	Action
1.	Introduction	
	<ul style="list-style-type: none">The Chair welcomed members to the initial meeting of this working group.Ms Jennifer Low attended as proxy for Ms Karin Lee, representing CCI WA.	
2.	Review Terms of Reference	
	<ul style="list-style-type: none">The Working Group had no objections to the Terms of Reference.	DMP to upload Terms of Reference to website
3.	Overview of role of group and timeline	
	<ul style="list-style-type: none">The working group was formed by the Ministerial Advisory Panel on Safety Legislation Reform (MAP) to examine the regulation of safety and health relating to asbestos. The group needs to make recommendations to MAP on what should go into the legislation, Codes of Practice and guidance material.The group should conclude its work within two or three meetings, but the draft asbestos regulations will not be ready for consultation until 2015.	
4.	Discussion – legislation for WA	
	<ul style="list-style-type: none">Currently, safety and health related to asbestos is regulated under the WA OHS Act and the Mines Safety and Inspection Act. The national WHS Act has	



Item	Topic	Action
	<p>94 pages on asbestos - mainly related to licensing and removal. There are also WA and Federal Codes of Practice and guidelines relating to asbestos.</p> <ul style="list-style-type: none"> Feedback from industry indicates that the national WHS legislation for asbestos is excessively detailed and prescriptive. There are two main issues: - removal of asbestos and naturally-occurring asbestos. <p>Removal of asbestos (e.g. construction materials, pipes)</p> <ul style="list-style-type: none"> For the removal of asbestos in the construction of old buildings or asbestos water pipelines, legislation requires the Principal Employer to notify Resources Safety at DMP. The Principal Employer must then follow the national Code of Practice, which includes use of licensed companies to remove the asbestos. In the national WHS Regulations, there are over 111 multi-part regulations relating to asbestos, but most this covers the licensing and training of asbestos removalists. The groups considered this to be overly-detailed, prescriptive and of limited relevance to the resources industry, which is mainly affected by naturally-occurring asbestos and other fibrous minerals. The Chair asked members whether this working group needs to review the management and removal of asbestos, given that there are still some asbestos removal issues on mine sites. The group agreed to focus on naturally-occurring asbestos. The resources industry could cover the asbestos removal issue through use of a checklist – this would simplify the compliance process by referencing the national Code of Practice and regulations regarding asbestos. <p>Naturally-occurring asbestos (and other fibrous minerals)</p> <ul style="list-style-type: none"> Naturally-occurring asbestos (and other fibrous minerals) may be disturbed as a result of mining for other minerals, such as iron ore. For naturally-occurring asbestos and other fibrous minerals, three years ago, DMP developed the guideline on <i>Management of fibrous minerals in Western Australian mining operations</i>, which was designed to complement and align with the national Code of Practice. Mine workers are often unable to identify fibrous minerals and are concerned about whether these minerals are harmful. DMP treats all fibrous minerals as harmful - this is reinforced by the national standard for exposure being set at 0.1 fibres per millilitre (f/mL) for all forms or mixtures of fibrous minerals. Companies operating in areas identified as having a risk of naturally-occurring asbestos/fibrous minerals are required by DMP to have a Fibrous Minerals Management Plan in place. If companies inadvertently discover asbestos in an area where the risk of naturally-occurring asbestos had not been identified, they are still required to notify DMP and follow the appropriate regulatory requirements, including a Fibrous Minerals Management Plan, monitoring, etc. The control measures used for naturally-occurring asbestos are similar to those used for other minerals, such as silica, but asbestos is the focus of this group as it is considered more of a specialised issue. The Mine Safety and Inspection Regulations 1995 require the mining industry to regularly sample for atmospheric contaminants and report results to Resources Safety. Sample results are recorded on the CONTAM system. This system covers the majority of the mining workforce. The current framework of risk-management plans and Safety Management 	<p>Members to consider recommending development of an asbestos removal checklist for the resources industry.</p>



Item	Topic	Action
	<p>Systems is considered sufficient to deal with asbestos issues. DMP has employed more inspectors to verify that risk-based documentation submitted by industry is compliant.</p> <ul style="list-style-type: none"> The groups discussed health monitoring to detect asbestos-related diseases: <ul style="list-style-type: none"> The National Asbestos Exposure Register does not really apply to mining, but DMP recommends companies keep a record of their employees; Until January 2013, DMP required health assessments for all WA mine workers. This ceased when studies of the MineHealth database showed that these assessments neither prevented nor detected ill health at an early stage.. Lung function testing can be problematic, unless there is consistency in the equipment and standards used, as well as the skills of the person conducting the testing. Recommendations from this working group should be high-level, rather than going through regulations line by line. Recommendations may include whether a guideline or Code of Practice is agreed as being sufficient, or identify potential amendments. The Chair will prepare a matrix identifying the gaps in national and state regulatory requirements, covering the Acts and Regulations, Codes of Practice and guidelines. CCI has already conducted a similar gap analysis, and agreed to provide an edited copy to the Chair. DMP will prepare a high-level overview of the overarching principles (identification, management, control, sampling, training, disposal, etc); whether these are covered in the national regulations, how this is translated into the Code of Practice, and the existing regulations. This work will assist DMP in drafting of the WA regulations later this year. 	<p>CCI to provide edited copy of their regulatory gap analysis to working group.</p> <p>DMP to provide overview of principles to Chair</p> <p>Chair to prepare gap analysis matrix, incorporating CCI gap analysis and overview from DMP.</p> <p>DMP to circulate gap analysis to working group members for their consideration prior to next meeting.</p>
5.	Other Business	
	<ul style="list-style-type: none"> David Eyre will be the contact person for this working group. 	
6.	Next Meeting	
	<ul style="list-style-type: none"> The next meeting is Thursday 26 June 2014, 10:00am – 11:30am. 	