



Australian Government

Comcare

Notification of air monitoring results for respirable crystalline silica

The *Work Health and Safety Regulations 2011* (WHS Regulations) provides that a person conducting a business or undertaking (PCBU) that is carrying out, or directing or allowing a worker to carry out, the processing of a crystalline silica substance (CSS) must:

- > Undertake air monitoring for respirable crystalline silica (RCS) in accordance with regulation 50 of the WHS Regulations
- > Provide air monitoring results to Comcare if the airborne concentration of RCS exceeds the Workplace Exposure Standard (WES) as soon as reasonably practicable and no more than 14 days from the date that the air monitoring results were reported to the PCBU
- > Provide health monitoring for all workers carrying out the processing of a CSS that is high risk in accordance with Division 6, Part 1 of the WHS Regulations.

Air monitoring

Air monitoring involves measuring the level of RCS in the breathing zone of workers using a personal sampler during their usual shift activities, including routine breaks.

Pursuant to Regulation 50 of the WHS Regulations requires a PCBU to undertake air monitoring to determine the airborne concentration of a substance or mixture which has a WES. PCBUs are required to undertake air monitoring to determine the airborne concentration of a substance or mixture which has a WES if:

- > the PCBU is not certain on reasonable grounds whether or not the airborne concentration of RCS at the workplace exceeds the WES for RCS, or
- > monitoring is necessary to determine whether there is a risk to health from RCS at the workplace.

The WHS Regulations requires that the results of air monitoring must be kept for 30 years (regulation 50(2)) and that these records are readily accessible to people at the workplace who may be exposed to RCS (regulation 50(3)).

Workplace exposure standard for respirable crystalline silica

The WES represents the concentration of an airborne hazardous chemical for example, RCS within a worker's breathing zone that should not cause adverse health effects or undue harm.

Compliance with the WES is required under the WHS laws.

The WES for RCS in Australia is 0.05mg/m³ (8 hour time weighted average), or adjusted WES for extended work shifts, periods.

The WES must not be exceeded.

PCBUs should keep worker exposure to RCS as low as reasonably practicable. Air monitoring must be conducted if there is any uncertainty that the WES is being exceeded or to determine whether there is a risk to a worker's health.

Penalty

Failure to undertake monitoring in relation to the processing of CSS that is high risk is an offence under the WHS Regulations carrying a maximum tier E monetary penalty. Further information is available in the [Working with crystalline silica substances: Guidance for PCBUs](#).

Privacy and personal information

Comcare will only collect, use or disclose personal information in accordance with the Privacy Act 1988 (Cth) and if it is reasonably necessary for, or directly related to, one or more of our functions, powers and/or activities.

Comcare is the Commonwealth agency authorised by the *Work Health and Safety Act 2011* (WHS Act) to collect personal information relevant to the exercise of functions and powers under the WHS Act, *the Work Health and Safety Regulations 2011* (WHS Regulations) and the administration and evaluation of Comcare's WHS programs. Any personal information collected in this form will be used for those purposes. In exercising its functions and powers, Comcare may disclose personal information, subject to confidentiality of information provisions under the WHS Act, to the following bodies and agencies, including but not limited to:

- > Comcare's internal and external legal advisers
- > the Safety, Rehabilitation and Compensation Commission
- > a court or tribunal
- > state or territory work health and safety regulatory agencies
- > personnel engaged by Comcare to conduct research related activities
- > enforcement agencies or bodies
- > state and territory Coroners
- > Commonwealth, state or territory industry regulators
- > any other person assisting Comcare in the performance of its functions or exercise of its powers, including contractors and consultants
- > any other person where there is an obligation under law to do so (for example but not limited to, responding to the direction of a court to produce documentation).

If Comcare does not collect personal information from you for the purposes of its legislated functions or related functions, we may not be able to perform our functions or activities. For further information on how Comcare handles personal information, please read our Privacy Policy on our website. If you require further information or wish to request a change to your personal information or to make a complaint, please email privacy@comcare.gov.au.

Confidentiality of information

Section 271 of the WHS Act imposes a strict confidentiality requirement over information or documents obtained in the exercise of any power or function under the WHS Act. This includes where Comcare is requested to assist in resolving a disputed WHS matter. Comcare will only disclose, give access to, or use information or documents obtained from this report in accordance with its confidentiality of information obligations under section 271 of the WHS Act.

Instructions for completing this form:

- > Complete the information in this form and sign the declaration,
- > Email the form to notify@comcare.gov.au

It is the responsibility of the PCBU to ensure the form is completed and submitted correctly.

You will be required to submit copies of any air monitoring reports/results with this notification form.

SECTION B: – DETAILS OF AIR MONITORING AND EXCEEDANCE EVENT

Sampling details

SAMPLING DATE: SHIFT (DAY):

SAMPLING LOCATION:

SAMPLING EQUIPMENT USED: SAMPLING TIME: Minutes

ACTIVITY / TASKS CONDUCTED DURING SHIFT

CONTAMINANT LEVEL RCS mg/m3: SHIFT ADJUSTED (if required) mg/m3:

NUMBER OF OTHER SAMPLES COLLECTED ON THIS DAY:

DID ANY OF THESE SAMPLES EXCEED THE WES (Yes/No):

HOW MANY OTHER SAMPLES EXCEEDED THE WES:

ENVIRONMENTAL CONDITIONS (where applicable):

Sampler/technician details

Name of person conducting air monitoring:

Phone number: Email:

Company:

Sampled person(s) details

NUMBER OF PERSONS SAMPLED: WORKER TYPE(S):

Details of sampled person(s):

SURNAME: GIVEN NAME:

OCCUPATION:

If more than one person sampled received a result that exceeded the WES include details in table on page 6

OTHER PCBU(s) (contractor/labour hire etc where applicable):

Has the PCBU consulted with other PCBUs to ensure the corresponding regulator has been notified? Provide details of consultation and actions:

WAS RESPIRATORY PROTECTION EQUIPMENT WORN (Yes/No):

Type (Choose PPE Type):

HAVE WORKERS BEEN TRAINED IN THE USE OF RPE/PPE (Yes/No):

Exposure details

NUMBER OF PERSONS POTENTIALLY EXPOSED:

WAS THERE POTENTIAL EXPOSURE TO MEMBERS OF THE PUBLIC (Yes/No):

TYPE (MoP, child etc):

PCBU actions

INITIAL ACTIONS TAKEN BY THE PCBU AFTER RECEIVING THE RESULTS:

HAS THE PCBU COMMUNICATED THE EXCEEDANCE RESULTS WITH WORKERS AND ANY HSRs? *Provide details of the communication channels, including any times, dates and any responses received from workers and/or HSRs:*

IF MEMBERS OF THE PUBLIC WERE POTENTIALLY EXPOSED, HOW WAS THE EXPOSURE COMMUNICATED AND WHAT ACTIONS DID THE PCBU TAKE TO ASSURE THE PUBLIC THAT THE RISK OF FURTHER EXPOSURE HAS BEEN MITIGATED *Provide details of communication strategies, including media that the PCBU has undertaken:*

WAS THE SILICA CONTROL PLAN OR SWMS REVIEWED AND REVISED AFTER THE EXCEEDANCES WAS IDENTIFIED? *Include detail of how, when, where and any consultation with workers and HSRs:*

WHAT CONTROL MEASURES HAVE BEEN IMPLEMENTED TO ENSURE THE RISK OF EXPOSURE TO RCS IS ELIMINATED OR MINIMISED SO FAR AS IS REASONABLY PRACTICABLE:

HAS WORK RECOMMENCED? IF SO WHEN?

OTHER/INVALID SAMPLE INFORMATION/DETAIL ETC:

SECTION C – DECLARATION

I, _____ hereby declare that:

[FIRST AND LAST NAME]

- > I have authority to complete this plan on behalf of the PCBU.
- > The information in this plan is true and correct to the best of my knowledge.
- > The PCBU understands that, when carrying out, or directing or allowing a worker to carry out, processing of a CSS that is high risk, it has duties under WHS laws, including those described in the Identifying and managing the processing of crystalline silica substances in the workplace guidance material.

Position title:

Signature:

Date: / /

WHS regulators have powers to investigate and enforce WHS laws. The WHS regulator may rely on those powers to obtain further information and may attend your workplace(s) to assess compliance with this plan and other relevant provisions of the WHS laws.