



Environmental Health & Safety Audit Protocol Victoria, Australia 2021

release notes

STP ComplianceEHS (STP) announces the release of its recently updated EHS audit protocol for Victoria, Australia. This audit protocol, which also includes relevant national EHS requirements, was previously updated in August 2019. The regulatory date for the current release is May 2021. The table below shows the extent of regulatory changes that have occurred since the previous update.

Number of Legislative Instruments and their Status
(since August 2021)

Protocol Section	No Change	New	Amended	Repealed
General Environmental	0	2	3	4
Air Emissions	3	2	4	6
Solid and Hazardous Waste	2	2	1	9
Water Resources	2	2	2	2
Above and Below Ground Tank Management	3	1	2	2
Community Noise	0	1	2	3
PCBs	1	1	1	3
Asbestos	2	1	3	4
General Health and Safety	2	1	3	0
Equipment, Machine and Electrical Safety	3	1	3	1
Material Handling and General In-Plant Safety	0	0	6	0
Fire Safety	3	0	2	0
Transport of Dangerous Goods	4	0	4	0
Industrial Hygiene	5	1	6	0
Chemical Management	7	5	8	6
Construction Work Site Safety	1	0	6	0

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highlights of selected new legislation

- **The *Environment Protection Act 1970*** has been repealed and replaced by the *Environment Protection Act 2017*, effective 1 July 2021, and significantly amended by the *Environment Protection Amendment Act 2018*.

- **The *Environment Protection Act 2017* and new *Environment Protection Regulations 2021*, which both came into effect on 1 July 2021**, have completely overhauled Victoria's environmental legislative framework. Significant changes made by the new legislation include the establishment of a general environmental duty (GED), which requires that all reasonably practicable steps must be taken to minimize harm to human health and the environment from pollution and waste. The new law creates a three-tiered system of permissions, makes significant changes to waste management requirements, and requires businesses to report to EPA in the event of a notifiable pollution incident. Also, persons in management or control of land must now notify the EPA as soon as practicable after becoming aware of notifiable contamination. State Environment Protection Policies (SEPPs) and Waste Management Policies (WMPs) have been revoked and replaced by new provisions under the regulation or by the GED. Notifiable Chemical Orders (NCOs) have either been revoked or transitioned to Environmentally Hazardous Substance Orders (EHSOs).

- **The national *Industrial Chemicals (Notification and Assessment) Act 1989* and the *Industrial Chemicals (Notification and Assessment) Regulations 1990*** have been repealed and replaced by a new regulatory scheme for industrial chemicals under the *Industrial Chemicals Act 2019* and the *Industrial Chemicals (General) Rules 2019*.

- **The national *Industrial Chemicals Act 2019* (assented to in March 2019)** establishes a new regulatory scheme, the Australian Industrial Chemicals Introduction Scheme (AICIS), for the importation and manufacture (introduction) of industrial chemicals in Australia. The AICIS replaced the National Industrial Chemicals Notification and Assessment Scheme (NICNAS) on 1 July 2020. The AICIS establishes a new way of categorizing and introducing industrial chemicals that focuses the pre-introduction assessment on higher risk chemical introductions and provides streamlined introduction pathways for lower risk chemicals that are intended to reduce the regulatory burden for industry. It also focuses on post-introduction evaluation and monitoring to help maintain the protection of health and safety of the public, workers, and the environment.

- **The national *Industrial Chemicals (General) Rules 2019* (effective 1 July 2020)** supports the new industrial chemicals regulatory scheme established by the *Industrial Chemicals Act 2019*. These Rules set forth the technical and operational details and the requirements introducers must meet, including the requirement to categorize their chemicals that are not listed on the Australian Inventory of Industrial Chemicals.

- **The national *Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995*** have been updated to incorporate new rules for charging refrigeration and air conditioning equipment which came into force on 1 January 2020 to support the hydrofluorocarbon (HFC) phase down and reduce emissions of climate damaging HFCs. These Regulations ban charging of refrigeration and air conditioning equipment with a higher global warming potential (GWP) refrigerant than the equipment was designed to use, with an exception for refrigeration or air conditioning equipment that is essential for health or public safety purposes where the design refrigerant is not available.

- **Requirements related to the storage, handling, and use of explosives under the *Dangerous Goods (Explosives) Interim Regulations 2021*** are now covered in the protocol. These Regulations, which commenced 20 June 2021 and replaced the *Dangerous Goods (Explosives) Regulations 2011*, establish safety requirements related to the manufacture, storage, sale, transport, use, disposal and import of explosives, and also address security concerns associated with explosives. These Interim Regulations are currently set to expire on 19 June 2022, but could be extended or replaced by permanent regulations.

- **The *Public Health and Wellbeing Regulations 2019*** revoked and replaced the *Public Health and Wellbeing Regulations 2009*. These Regulations include requirements for any person who owns, manages or controls a cooling tower system. The 2019 regulations revised the requirements for servicing and sampling of cooling towers and established a new notification requirement that applies if *Legionella* is detected above a specified level.

- **The *Occupational Health and Safety Regulations 2017*** have been revised to reflect Victoria's transition from the 3rd revised edition of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) to the 7th revised edition of the GHS. As part of this transition, the definition of hazardous substance has been revised to ensure that it captures all Category 2 eye irritants by removing Category 2B eye irritants from the list of exempt hazard classes and categories.

- **Interim provisions made under the *Occupational Health and Safety Regulations 2017*** to address risks associated with exposure to silica dust for the period commencing on 20 August 2019 and ending on 20 August 2021 have been extended until 19 November 2021. Also, of note, Worksafe Victoria issued the *Compliance Code: Managing Exposure to Crystalline Silica: Engineered Stone in February 2020* to provide practical guidance for those who have duties or obligations in relation to exposure to crystalline silica to support compliance with the regulatory requirements.

- **The *Occupational Health and Safety (COVID-19 Incident Notification) Regulations 2021*** require employers or self-employed persons to notify the Authority immediately after becoming aware that an employee or independent contractor has been diagnosed with the disease COVID-19. These Regulations will be revoked on 27 July 2022. These rules replaced the *Occupational Health and Safety (COVID-19 Incident Notification) Regulations 2020*, which had required such reporting beginning on 28 July 2020.

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- **Changes to Victoria's lead process regulations that were included in the *Occupational Health and Safety Amendment Regulations 2018*** became effective on June 5, 2020. The changes lowered the workplace exposure standard for lead and made changes to requirements for lead-risk work, which include reducing the mandated blood lead removal levels, adjusting the testing frequency of workers, and reducing the blood lead levels permitted to return to lead risk work.



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