

12 October 2021

The Hon. Grace Grace MP
Minister for Education and Minister for Industrial Relations
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Brisbane QLD 4000
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Safe Work Australia new hydrogen sulfide workplace exposure standards

Dear Minister Grace,

I am writing on behalf of the urban water industry nationally to convey the industry's significant concerns about the recent Safe Work Australia (SWA) review of the Workplace Exposure Standards (WES) for Airborne Contaminants, in particular the reduction in hydrogen sulfide exposure limits and to seek the opportunity to present our concerns prior to the new reduced limits being endorsed.

The Water Services Association of Australia (WSAA) is the peak body that supports the Australian urban water industry. Our members provide water and sewerage services to over 20 million customers in Australia and New Zealand and to many of Australia's largest industrial and commercial enterprises. The urban water industry strives to be free from harm and injury, both physical and psychological. The health, safety, and wellbeing of our people, communities, and workplaces is critical.

In August, the water industry was informed that Safe Work Australia gave preliminary endorsement of a reduction in the hydrogen sulfide exposure limits as part of Workplace Exposure Standards review. The limits have been reduced from 10ppm TWA and 15ppm STEL to 1ppm TWA and 5ppm STEL. Water businesses are extremely concerned by the approved reduction of hydrogen sulfide exposure standards. This concern is on three fronts; the scientific justification utilised to support the reduction, the direct and indirect cost of compliance, and the consultation process that was undertaken. The management of sewerage networks and treatment plants often exposes workers to low levels of hydrogen sulfide. Therefore, this intended modification to the standard has a material impact on the industry.

First and foremost, water businesses are concerned that the evidence provided to justify the human health and safety impact is unclear and open to criticism. This is especially so when reviewed in the context of the proposed ten-fold reduction from current standards. An academic review titled "*The Scientific Basis for Occupational Exposure Limits from hydrogen sulfide – A Critical Commentary (2021)*" by Professor Mark Elwood of the University of Auckland, which included the literature cited by Safe Work Australia, has stated there is little clear evidence that a reduction from current limits will protect the health of workers any further than current exposure limits. Further, it has called for a review and assessment of the evidence surrounding health and safety impacts before occupational limits are modified from current levels. Our members are concerned that a reduction from current exposure standards is being undertaken without sound evidentiary basis.

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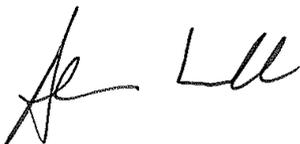
Secondly, preliminary estimates of the impact to the industry indicates the cost will be extraordinary and untenable. The preliminary estimate by one of the largest and most mature water business in the country indicates the cost of rectification works required for their network is in excess of \$3 billion. This will include major works at their treatment plants, pumping stations and network sewer assets. There were similar concerns from other members of the sector and the cost to implement engineering controls for the industry is estimated to be in the tens of billions of dollars across the Australian Water Sector. Water businesses operate under a full cost recovery business model, so increased costs will require higher prices for water utility customers. Our members also consider it extremely unlikely that the works necessary to comply could be completed within the 3-year transition timeframe that is proposed.

Finally, consultation on the changes relating to hydrogen sulfide exposure limits closed on 1 February 2021. However, water businesses and their peak bodies, including WSAA were not contacted or made aware of the consultation draft. Awareness only occurred in early July 2021 when industry contacts inadvertently discovered the changes, not through any active consultation from Safe Work Australia. It does not appear that SWA proactively undertook any clear process to determine which industries might be impacted by the changes. The water industry raised our concerns with SWA prior to the new limits being approved but have not been given the opportunity to meet and discuss these with SWA.

WSAA believes that endorsing the reduced limits will have a material and negative impact on the water sector and the community, and we ask that endorsement of the new hydrogen sulfide limits be temporarily paused until a regulatory impact statement informed by the industry is completed. WSAA will be undertaking an independent review of the health and safety benefits and assessing the compliance costs of the new limits in the next two months. WSAA and key water business representatives from your jurisdiction would like to meet with the appropriate representative from your office to discuss our concerns and the findings from our review prior to final endorsement of the new limit.

WSAA is committed to scientifically robust, evidence-based health and safety guidelines informed by engagement with impacted industries. I look forward to further dialogue and progressing this opportunity to resolve the sector concerns. WSAA's contact for this issue is James Goode (james.goode@wsaa.asn.au)

Yours Respectfully,



Adam Lovell
Executive Director, WSAA



David Cameron
CEO, Queensland Water Directorate

CC: Catherine Rafferty, Team Leader, Work and Electrical Safety Policy, Office of Industrial Relations

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