

GUIDANCE MATERIAL

Notification of pipelines and
the transfer of Schedule 1.1
hazardous chemicals



Australian Government

Comcare

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INTRODUCTION

The *Work Health and Safety Regulations 2011* (Cth) (the Regulations) provide for the notification to Comcare of pipelines that cross into public places and the transfer of hazardous chemicals.

These notifications provide risk-based information to Comcare so it can apply resources and target compliance and enforcement actions to areas of greatest risk to health and safety.

SCOPE

The notifications are required for pipelines crossing into a public place when certain building activities are undertaken and also when a Schedule 11 hazardous chemical is transferred—[regulations 390 and 391].

A notification to Comcare is not required if the pipeline is regulated under a corresponding Work Health and Safety (WHS) law of a state or territory.

WHO MUST NOTIFY

The person who intends to build a pipeline or to repair, remove, decommission, close or abandon part of a pipeline must ensure that notification is given to Comcare [regulation 390].

The person conducting a business or undertaking (PCBU) that operates a pipeline used to transfer a Schedule 11 hazardous chemical into a public place must ensure that Comcare is notified [regulation 391].

Under section 5 of the *Work Health and Safety Act 2011* (Cth) (WHS Act), a PCBU can include an individual, a body corporate, a government agency, a partnership or an unincorporated association.

Under section 20 of the WHS Act, a person with management or control of a workplace is a PCBU to the extent that the business or undertaking involves the management or control of the workplace.

WHEN TO NOTIFY

Comcare must be notified of a pipeline that crosses into a public place and is used or to be used to transfer a hazardous chemical in the following circumstances:

- > before the pipeline is commissioned [regulation 390(3)(a)]
- > before the pipeline is likely to contain a Schedule 11 hazardous chemical [regulation 390(3)(b)]
- > when there is any change to the information given to the regulator in a pipeline notification [regulation 390(3)(c)]
- > before part of the pipeline is repaired [regulation 390(3)(d)]
- > when part of the pipeline is removed, decommissioned, closed or abandoned [regulation 390(3)(e)].

WHAT INFORMATION DOES THE REGULATOR REQUIRE?

PIPELINE BUILDING

For notifications of pipeline building activities referred to in regulation 390, provide the following information:

- > the name of the intended owner and operator of the pipeline
- > the pipeline's specifications
- > the intended procedures for the operation, maintenance, renewal and relaying of the pipeline
- > any public place that the pipeline will cross (this information should be specified clearly on a map of the area)
- > the intended emergency response procedures [regulation 390(2)].

TRANSFER OF SCHEDULE 11 HAZARDOUS CHEMICALS VIA PIPELINE

The operator of a pipeline that transfers a Schedule 11 hazardous chemical must notify Comcare of:

- > the name of the supplier of the hazardous chemical
- > the name of the receiver of the hazardous chemical
- > the correct classification of the hazardous chemical [regulation 391(3)].

Note that the supplier of the Schedule 11 hazardous chemical is the person who provides the Schedule 11 hazardous chemical at the start of the pipeline (first supplier).

The receiver of the Schedule 11 hazardous chemical is the person who receives the Schedule 11 hazardous chemical at the end of the pipeline (last recipient).

HOW TO NOTIFY

Notifications are to be made to Comcare using *FORM WHS—HCP001 Notification form—pipelines which transfer Schedule 11 chemicals*.

This form and guidance material are available on the Comcare website under Safety & Prevention>Health & safety topics>pipelines.

Please fax completed forms to (02) 6274 9468 or post to:

Authorisations Team
Comcare
GPO Box 9905
Canberra ACT 2601

FEES

There is no fee for notifications covered by this guidance material.

OBLIGATIONS

CHANGES TO DETAILS

Changes to information provided to Comcare in a notification for a proposed pipeline or the repair, removal, decommissioning, closure or abandonment of a pipeline must be provided to Comcare when the information changes—[regulation 390(3)(c)].

LABELLING OF PIPELINE

The operator of a pipeline used to transfer a Schedule 11 hazardous chemical must ensure so far as is reasonably practicable that the chemical transferred is identified by a label, sign or another way on or near the pipeline—[regulation 391(2)].

RISKS CAUSED BY THE PIPELINE

The operator of a pipeline used to transfer a Schedule 11 hazardous chemical must manage risks to health and safety arising from the transfer of the hazardous chemical through the pipeline—[regulation 391(1)].

FURTHER INFORMATION

If you have any enquiries, please contact the Comcare Authorisations team at WHS.Pipelines@comcare.gov.au or on 1300 366 979.

LEGISLATION

Work Health and Safety Act 2011 (Cth)

Work Health and Safety Regulations 2011 (Cth)