



Australian Government

Comcare

Guidance material

For Schedule 11 hazardous
chemicals and abandonment
of tanks notifications

Publication details

Published by Comcare

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WHS 012 – For Schedule 11 hazardous chemicals and abandonment of tanks notifications

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Use of the Coat of Arms

The terms under which the Coat of Arms can be used are detailed on the It's an Honour website (<http://www.itsanhonour.gov.au/coat-arms/index.cfm>).

ABN: 41 640 788 304 (Comcare)

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Introduction

The *Work Health and Safety Regulations 2011* (Cth) (the Regulations) provide for the notification of Schedule 11 hazardous chemicals and notification of the abandonment of an underground, partially underground or fully mounded tank.

A person conducting a business or undertaking (PCBU) at a workplace is required to ensure, so far as reasonably practicable, the health and safety of workers and others. Notifications of Schedule 11 hazardous chemicals and abandonment of tanks 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.

The notification must be made by a PCBU when Schedule 11 hazardous chemicals are involved. A PCBU with control or management of a tank should make the relevant tank notification.

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

Hazardous chemicals and tank notifications must be made to Comcare if the PCBU is the Commonwealth, a public authority or a non-Commonwealth licensee.

Scope

Hazardous chemicals

Notification to Comcare must be made in the following circumstances:

- > When a quantity of a Schedule 11 hazardous chemical or group of Schedule 11 hazardous chemicals that exceeds the manifest quantity is used, handled or stored, or is to be used, handled or stored, at the workplace [regulation 348(1)].
- > After the Schedule 11 hazardous chemical or group of Schedule 11 hazardous chemicals is no longer used, stored or handled at the workplace and is not likely to be used, handled or stored at the workplace in the future [regulation 348 (2)(c)].

'Manifest quantity' in relation to Schedule 11 hazardous chemicals, means the quantity referred to in Schedule 11, Table 11.1, Column 5 of the Regulations for that hazardous chemical [regulation 5].

Notification must be made to Comcare according to the following timing:

- > immediately after it is known that the Schedule 11 hazardous chemical or Schedule 11 group of hazardous chemicals is to be first used, handled or stored or at least 14 days before that first use (whichever is earlier)
- > immediately after it is known that there will be a significant change in the risk of using, handling or storing the Schedule 11 hazardous chemical or group of Schedule 11 hazardous chemicals at the workplace or at least 14 days before that change (whichever is the earlier)
- > as soon as practicable after the Schedule 11 hazardous chemical or group of Schedule 11 hazardous chemicals is no longer used, stored or handled and is not likely to be used, handled or stored at the workplace in the future [regulation 348(2)].

Abandonment of tank

Notification to Comcare is required for the abandonment of an underground, partially underground or fully mounded tank that was used to store flammable gases or flammable liquids [regulation 367].

The notification must be given as soon as practicable after the tank is abandoned [regulation 367(3)].

The tank is taken to be abandoned if [regulation 367(2)]:

- > the tank has not been used to store flammable gasses or flammable liquids for 2 years, or
- > the person does not intend to use the tank to store flammable gases or flammable liquids again.

Tank means a container, other than an intermediate bulk container (IBC) designed to use, handle or store hazardous chemicals in bulk, and includes fittings, closures and other equipment attached to the container [regulation 367(4)].

GHS/ADG Conversion

Implementation of the GHS

Most individuals involved in the handling of hazardous chemicals will be familiar with the classification of chemicals in accordance with the Australian Dangerous Goods Code (ADG).

The Regulations implement a new system of chemical hazard classification, labelling and safety data sheet requirements based on the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (the GHS). Transition to this new system will occur over a five-year period from 1 January 2012 until 31 December 2016. This code refers to hazard classes and categories under the GHS.

The following table will assist in identifying the new GHS classifications against the old ADG classifications.

ADG class/category, packing group	Equivalent GHS class and category
Class 1 – Explosives Unstable explosives (Goods too dangerous to be transported) Division 1.1 Division 1.2 Division 1.3 Division 1.4 Division 1.5 Division 1.6	Unstable explosives Division 1.1 Division 1.2 Division 1.3 Division 1.4 Division 1.5 Division 1.6
Class 2 – Gases	Gases under pressure NOTE: The GHS has 4 categories which correspond to the transport condition under the ADG Code. They are: > Gas under pressure – Compressed gas > Gas under pressure – Liquefied gas > Gas under pressure – Refrigerated liquefied gas > Gas under pressure – Dissolved gas
Division 2.1	Flammable gases category 1 Flammable aerosols category 1 and 2
Division 2.2	Oxidising gases category 1 Gases under pressure not otherwise specified
Division 2.3	Acute toxicity: Inhalation categories 1-4 (Note: category 4 only up to LC50 of 5000 ppmV) Skin corrosion / irritation categories 1A-C

ADG class/category, packing group	Equivalent GHS class and category
Class 3 PG I	Flammable liquids category 1
Class 3 PG II	Flammable liquids category 2
Class 3 PG III	Flammable liquids category 3
Division 4.1 PGI	Self reactive substances type B-F
Division 4.1 PG II	Flammable solids category 1
Division 4.1 PG III	Flammable solids category 2
Division 4.2 PG 1	Pyrophoric liquids category 1
Division 4.2 PG II	Self heating substances category 1
Division 4.2 PG III	Self heating substances category 2
Division 4.3 PG I	Substances and mixtures which in contact with water emit flammable gases, category 1
Division 4.3 PG II	Substances and mixtures which in contact with water emit flammable gases, category 2
Division 4.3 PG III	Substances and mixtures which in contact with water emit flammable gases, category 3
Division 5.1 PG I	Oxidising solids, oxidising liquids, category 1
Division 5.1 PG II	Oxidising solids, oxidising liquids, category 2
Division 5.1 PG III	Oxidising solids, oxidising liquids, category 3
Division 5.2 PGI	Organic peroxides type A and B
Division 5.2 PGII	Organic peroxides type B-F
Division 6.1 PG I	Acute toxicity: Oral category 1 Acute toxicity: Dermal category 1 Acute toxicity: Inhalation category 1 (dusts, mists, vapours)
Division 6.1 PG II	Acute toxicity: Oral category 2 Acute toxicity: Dermal category 2 Acute toxicity: Inhalation category 2(dusts, mists, vapours)
Division 6.1 PG III	Acute toxicity: Oral category 3 Acute toxicity: Dermal category 3 Acute toxicity: Inhalation category 3 (dusts, mists, vapours)
Class 8 PG I	Skin corrosion category 1A
Class 8 PG II	Skin corrosion category 1B
Class 8 PG III	Skin corrosion category 1C Corrosive to metals category 1
Goods too dangerous to be transported	Self reactive substances type A Organic peroxides type A Unstable explosives
C1 combustible liquids (flash point 60-150 C)	Flammable liquids category 4* (flash point 60-93 C)

What information does Comcare require?

Hazardous chemicals

Written notification to Comcare of Schedule 11 hazardous chemicals must include the following information [regulation 348(3)]:

- a. the name and contact details of the PCBU
- b. the PCBU's business registration (trading) name (if applicable) and Australian Business Number (ABN)
- c. address of the business or undertaking where the Schedule 11 hazardous chemicals are used, handled or stored
- d. the types of business or undertaking conducted and the activities of the business or undertaking that involve using, handling or storing the Schedule 11 hazardous chemical
- e. if the workplace of the business or undertaking was previously occupied by someone else – the name of the previous occupier, if known
- f. details of the Schedule 11 hazardous chemicals that are used, handled or stored
- g. details of the storage facilities used to store the Schedule 11 hazardous chemicals
- h. the manifest that meets the requirements of Schedule 12 of the Regulations – **please refer to Annex A for an example.**

When notifications concern the cessation or likely cessation of the use, handling or storage of hazardous chemicals, it is not essential that items e–h are included [regulations 383(4) and (5)].

Abandonment of tank

Written notification to Comcare of the abandonment of a tank must include the following information:

- > the name and contact details of the PCBU with control or management of the tank
- > the PCBU's business registration (trading) name (if applicable) and Australian Business Number (ABN)
- > the address of the workplace where the tank is/was located
- > details of the tank – identification or code number, type and capacity
- > date the tank was abandoned
- > class of Schedule 11 hazardous chemical that the tank contained, and
- > copy of the letter or certificate from a competent person/contractor confirming the method of abandonment was in accordance with AS 4976.

Obligations

Manifest

Under regulation 347, a PCBU at a workplace where the use, handling or storage of a Schedule 11 hazardous chemical exceeds the manifest quantity for the Schedule 11 hazardous chemical, must:

- > prepare a manifest of hazardous chemicals, and
- > amend the manifest as soon as practicable if
 - the type or quantity of hazardous chemical that must be listed in the manifest changes, or
 - there is a significant change in the information required to be recorded in the manifest.

Note: A manifest of Schedule 11 hazardous chemicals must comply with Schedule 12 of the Regulations.

The manifest must be kept in a place determined in agreement with the primary emergency service organisation and be available for inspection under the WHS Act and be readily accessible to the emergency services organisation, [regulation 347 (3)].

Further information

If you have any enquiries, please contact Comcare's WHS Helpdesk team at WHS.Help@comcare.gov.au or on 1300 366 979.

Legislation

Work Health and Safety Act 2011 (Cth)

Work Health and Safety Regulations 2011 (Cth)

www.comcare.gov.au/WHS

Annex A – Example of a manifest

Hazardous chemicals and combustible liquids manifest

Date prepared/updated: _____

1. General information

(Schedule 12 clause 1(c))

PCBU: _____

(Schedule 12 clause 1(a))

ADDRESS OF SITE: _____

(Schedule 12 clause 1(b))

2. Emergency Contacts FOR PCBU (must provide at least two)

(Schedule 12 clause 1(d))

Name	Position	Business hours contact No.	After hours contact No.

Details of consultation with emergency services

(Regulation 361(2)(3))

1. Name of agency consulted with: _____

2. Date consultation took place: _____

Details of adjoining workplaces that consultation was undertaken with

(Schedule 12 clause 7(f))

1. Site name	Contact person	Phone number	Date of consultation
2. Site name	Contact person	Phone number	Date of consultation
3. Site name	Contact person	Phone number	Date of consultation
4. Site name	Contact person	Phone number	Date of consultation

Hazardous Chemicals stored in Bulk

(Schedule 12 clause 2)

Storage Area	Proper shipping name	UN Number	Class	Category	Type of container	Maximum QTY of container	Current QTY of Container	Diameter of fix vertical tank (if applicable)	Comments

Hazardous Chemicals stored in Tanks

(Schedule 12 clause 2)

Storage Area	Proper shipping name	UN Number	Class	Category	Type of container	Maximum QTY of container	Current QTY of Container	Diameter	Comments

NOTE: Tank diameters are required for vertical above ground tanks storing fire risk hazardous chemicals (however this does not apply to combustible liquids).

AGT – Above ground tank

UST – Underground storage tank

N/A – Not applicable

Manifest – For storage areas of packaged hazardous chemicals (specified hazardous chemicals)

Packed Store 1

Storage area	Proper shipping name	Class and category	Type	MAX QTY	Current Qty	Too Dangerous to be transported? Y/N	Combustible Y/N	Comments

Packed Store 2

Storage area	Proper shipping name	Class and category	Type	MAX QTY	Current Qty	Too Dangerous to be transported? Y/N	Combustible Y/N	Comments

Packed Store 3

Storage area	Proper shipping name	Class and category	Type	MAX QTY	Current Qty	Too Dangerous to be transported? Y/N	Combustible Y/N	Comments

Note:

- > For flammable liquids (category 4) include the product identifier (in Column 1) and use the words 'combustible liquids' (in remarks column)
- > For unstable explosive, organic peroxide type A or self-reactive substances type A include the product identifier (in Column 1) and the words 'too dangerous to be transported' (in remarks column).
- > Refer to schedule 12 Clause 4 Paragraph 3 for the definition of a specified hazardous chemical.

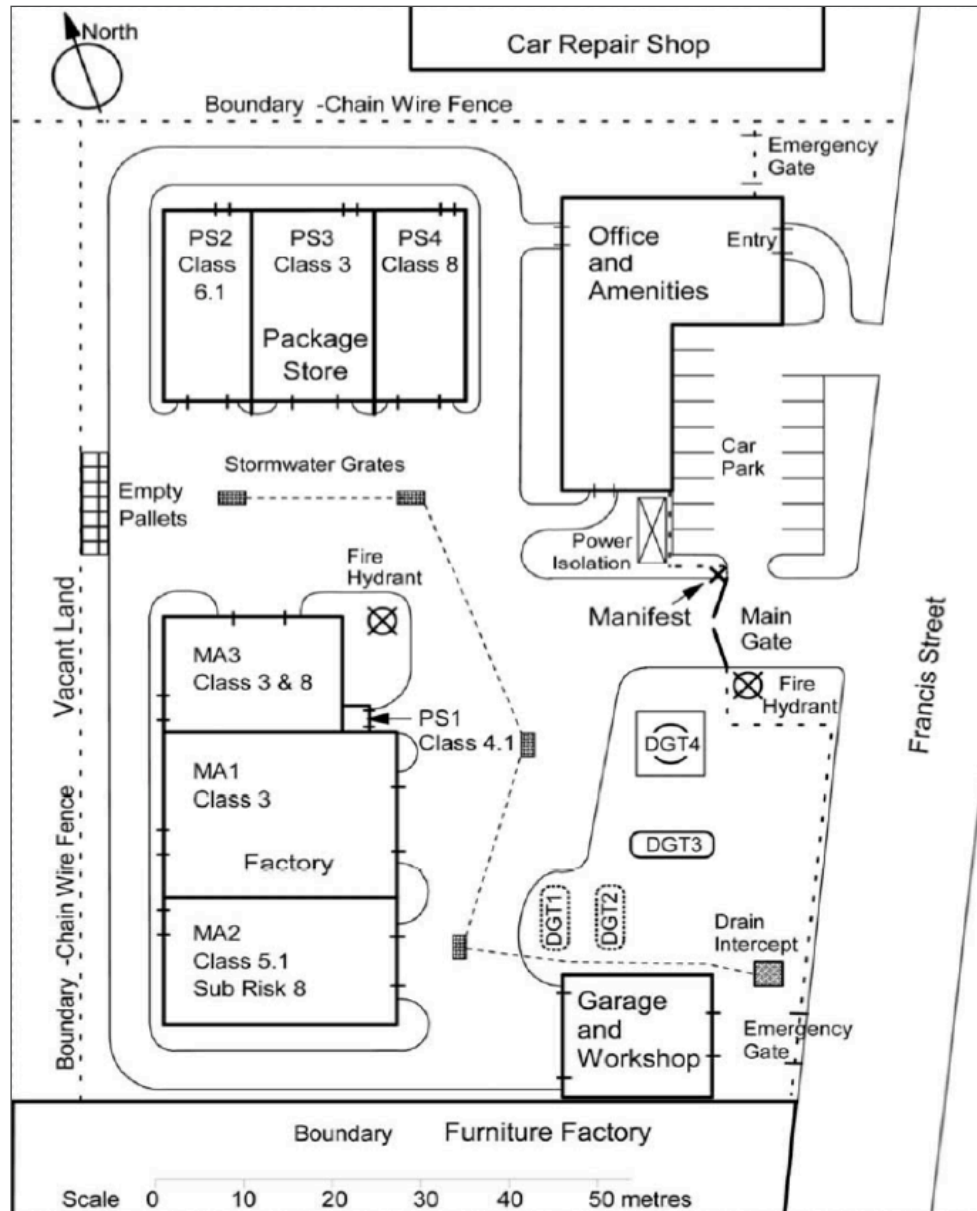
Hazardous chemicals being manufactured

(Schedule 12 clause 5)

Storage area	Proper shipping name	Class and Category	MAX QTY	Comments

Site map

(Schedule 12 clause 7)



Below is a list of what needs to be added to the map

1. Show the location of containers and other storage of hazardous chemicals in bulk and provide their identification details (e.g. DGT 3);
2. Show the location of storage areas for packaged hazardous chemicals and IBCs and provide their identification details (e.g. PS3);
3. Show the location where hazardous chemicals are manufactured or generated and provide their identification details (e.g. MA 2)
4. Show on map areas which have been designated for chemicals that are 'in transit' (e.g. ITA 1).
5. Describe in words the location of the things referred to in items 1 to 4 above. (e.g. The chemicals at DGT 3 are located [insert where] and can be reached from the main gate by going [where].)
6. Use a legend to indicate what the ID numbers and codes stand for.
7. Show on the map the location of the main entrance and other places of entry to and exit from the workplace.
8. Show on site map any essential site services, including fire services and isolation points for fuel and power.
9. Show on site map all drainage systems.
10. Show on site map where the manifest is located.
11. Show and provide a description of adjoining workplaces, occupancies or sites (e.g. car repair shop and furniture factory);
12. Show on site map the location of all other buildings, amenities, fences, car parks and storage areas;
13. Include a direction indicator for true north
14. Ensure the site name and address details are recorded on the site plan along with the date it was prepared / revised.
15. Include a description of the activities carried out in adjoining sites or premises.

ABC Chemicals Pty Ltd
 Lot 888 Jumpstart Road
 KENTSTONE WA 6888
 Date prepared: 12 June 2008
 Plan no.: ABC001

Legend
 PS – Package stores
 MA – Factory manufacturing areas
 DGT – Storage tanks areas