Assessment certificate applications under the reforms

On 25 October 2018 PHAA made the short submission set out below to a consultation on assessment certificate applications under the reforms by the National Industrial Chemicals Notification and Assessment Scheme (NICNAS), part of the Office of Chemical Safety, Australian Government Department of Health.


PHAA comments:

Introduction
The PHAA and other community groups remain concerned that the proposed AICIS draft rules may weaken the regulatory oversight for industrial chemicals and increase the threats for people and the environment.

Assessment Certificates should be required for all industrial chemicals including Exempted Chemicals
The discussion paper of 71 pages is difficult to read because key information is buried in cross-references. However, it is clear from the draft rules that Assessment Certificates will not be required for chemicals which industry self-assesses as very low risk and are therefore not listed in any government or public inventory. There is no notification to the regulator about these chemicals introduced as Exempted Chemicals and the introducer is only required to hold papers about the self-assessment in case it is subject to a random post-introduction check.

The PHAA and other community groups remain concerned about the AICIS proposal that there will be no Government or public record for chemicals classified and introduced into Australia as Exempted Chemicals. The PHAA is also concerned that not requiring an Assessment Certificate for Exempted Chemicals introduces a loophole for industry to wrongly classify an industrial chemical as an Exempted Chemical to avoid submitting an Assessment Certificate.

The PHAA believes that introducers of all industrial chemicals should be required to submit Assessment Certificates, including those self-assessed by industry as very low risk and as an Exempted Chemical. This ensures that the regulator is informed about the introduction of all industrial chemicals and the basis for industry categorisation at the time of introduction of the chemical into Australia.