

**Summary of Key Issues Identified
from the NICNAS National
Public Engagement Forums
For the Review of Existing Chemicals in
Australia**

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**Submitted by Jane Bremmer
on behalf of the Community Engagement Forum**

Introduction

NICNAS is undertaking a review of existing chemicals in Australia. This is a major project for NICNAS, who has established a steering committee to oversee the review and three working groups to devise a model for the review. A discussion paper has been produced to seek public submissions and engage with the community on this issue. As a result of this work, recommendations for the implementation of the review will be made to the Minister for Health and Aged Care.

The NICNAS Community Engagement Forum (CEF) was established to provide broad public interest stakeholder advice to NICNAS for the safe use of chemicals. The CEF has developed a Community Engagement Charter to guide NICNAS in their work. In partnership with NICNAS, the CEF has facilitated public engagement forums in all capital cities and two regional centres in Australia for this review of existing chemicals.

There was general support for all review proposals at each of the forums. In addition, there were some key themes/issues identified that are worthy of noting at this point in the review process and will assist NICNAS in general, but more importantly provide the Existing Chemicals Review team with clarity about the expectations and concerns that the community has in relation to the regulation and assessment of industrial chemicals in Australia.

Assessment of Chemicals

Nominations

There was strong support identified at the forums for NICNAS to increase the call for nominations of chemicals for assessment. In addition to more regular calls for nominations, forum participants felt that a chemical should be able to be nominated at any time and that NICNAS should actively seek public nominations. Transparency in the nomination process was identified as being essential, as was broadening of the sectors NICNAS regularly seeks nominations from, to include local government and industrial precinct committees. It was recognised that capacity building by NICNAS in the environment and community sector would assist in the request for nominations of chemicals of concern.

Assessment inputs

There was strong support that NICNAS broaden the types of assessment inputs/data it utilises when assessing chemicals. It was recognised that NICNAS needed to be pro-active in generating and seeking other sources of assessment data. A more interdisciplinary approach to selecting sources of data was needed to address the data gaps currently undermining chemical assessments.

There was strong support for utilising and building upon information and assessments from other countries about a chemical or group of chemicals where NICNAS had limited information, assuming the integrity of that information.

It was recognised that rarely is a chemical used in isolation of other chemicals or for a single purpose therefore it is essential that any assessment should consider the full life cycle of a chemical and its possible/expected uses.

There was strong support for chemical assessments to include incidental, breakdown and by-products of a chemical and its use in both health and environment settings. The impacts of chemical mixtures and synergies must be assessed given that most chemical residues end up in the environment and human body. This issue was identified as a major data gap in chemical assessment. There was strong support for gaining information from end-users to support and enhance chemical assessments. Information from end users was considered essential to identify the uses of a chemical, worker health impacts and other information that would support the assessment process.

It was strongly identified that a precautionary approach should underpin any chemical risk assessment so as to protect vulnerable sub populations and to address other areas of scientific uncertainty, particularly in relation to chronic exposure impacts. It was also identified that social impacts should be included early in a chemical risk assessment. Nanomaterials/particles and chemical sensitisers were identified as emerging priorities for assessment.

There was strong support for including clinical data in chemical assessments. Broadening information sources to include epidemiology, population and environmental health, body burden monitoring, including that from overseas, was needed to enhance chemical assessments.

The impacts of chemical residues in the environment must be considered in the assessment process. Data sources could be accessed from current air, water and soil monitoring including waste disposal residue monitoring. Local Government and other state and federal agencies could provide such information.

Assessment Outputs

There was strong support for a greater role for states and territories to ensure the uptake of assessment recommendations and feed information back to NICNAS. A nationally coordinated approach was needed to frame assessment advice.

It was agreed that clear, unambiguous recommendations were needed in assessments to ensure that industry, government and the public (and particularly down stream users) were able to protect their health, environment and use chemicals safely.

There was strong support for chemical assessment recommendations to be legally enforceable, not voluntary....more like regulations than recommendations...given the severity of damage chemicals have, potentially, to cause intergenerational public and worker health impacts and environmental

harm. There was strong support for NICNAS to apply penalties for companies and individuals who do not follow assessment recommendations.

There was strong support for NICNAS to have stronger powers to ban and control chemicals. A high percentage of forum participants felt that NICNAS should have the ability/power to ban high hazard and high-risk chemicals.

Chemical assessment advice needed to be broader to include clear advice about disposal controls, safe handling and ambient air, water and soil standards for the protection of environmental health and the environment.

Adverse reporting and chemical surveillance

It was recognised that NICNAS needed to be proactive in generating and pursuing information to enhance chemical assessments.

There was strong support for NICNAS to implement a nationally coordinated chemical adverse reporting and surveillance mechanism.

Whilst it was recognised that some government agencies and workplaces have such reporting schemes, they are not coordinated, their effectiveness is unknown and thus do not aid in the enhanced knowledge and assessment of chemicals in Australia.

It was strongly recommended that expert advice be sought on a reporting and surveillance model that included the involvement of clinicians.

Any scheme needed to include reports of adverse impacts on the environment in air, water and soil. Monitoring of the environment, including waste disposal and existing mechanisms such as the NPI could be utilised. Data from workers compensation schemes could also be utilised.

The reporting of both acute and chronic adverse impacts was needed in the scheme. Many forum participants felt that chemical residues in body fluids should be a priority issue for the scheme, requiring investigation and that NICNAS should maintain a database of environmental health sentinel events. It was noted that surveillance should include both health and exposure surveillance.¹

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Generally it was supported that NICNAS be the body to ‘scope’ what is currently being done and by whom, so that whatever system is introduced is effective, efficient and provides the data necessary to achieve the aims listed in the proposal.

Harmonise chemical regulation in Australia.

There was a consistent concern amongst the community that confusion and having multiple chemical regulators was causing poor regulation. This was apparent not only at a state level but also at an agency level.

There was strong support for the harmonisation of chemical regulation in Australia, so that the “buck stops” somewhere, unlike what is perceived to be the current system where states have different standards, regulation and legislation. This would also support the accountability and transparency of chemical regulation in general.

It was identified that there was a need for states to be coordinated in their regulatory role and relationship to NICNAS and to provide data on each states health, environment and industrial regulation. Therefore all state agencies needed to be streamlined into the regulation of chemicals. NICNAS should facilitate a regular summit for all state agencies involved in the regulation of chemicals.

A strong MOU was vital for communication and to ensure states were able to play their role in the regulation of chemicals. Key agencies such as Departments of Health and Environment need to be actively represented.

Advice to Public

All forums strongly agreed that NICNAS needed to promote itself and safer chemical use as a priority. Educating all public sectors, particularly health and environment, was seen to be essential to promote the uptake of chemical assessment recommendations, ensure safe chemical use and reporting of adverse impacts and to support the generation of key assessment data, particularly with the involvement of down stream users.

Key issues identified–

- NICNAS to conduct community education forums on the safe handling and use of chemicals. I.e. consumer forums, schools, chemical users.

- Provide regular newsletters to down stream users to encourage communication and provide advice on disposal and safe handling and to ensure downstream users meet their responsibilities.
- NICNAS to promote the benefits of the uptake of assessment recommendations to community, states and territories.
- Make the NICNAS website more interactive and user friendly for the general public.
- Link CAS numbers to all national regulation schemes. I.e. HSIS, MSDS, Haz waste reporting, worker schemes etc.
- Strong support for the annotation of AICS to particularly show those chemicals that have not been assessed, remove orphan chemicals and provide links to health and safety information.
- NICNAS to actively promote the use of safer alternative chemicals through AICS annotation, communication with downstream users, states and territories, public education forums, newsletters and on the website.
- Any public advice needs to be tailored to the specific needs of vulnerable sub populations and particularly for non- English speaking communities, remote communities, indigenous communities, workers and end user groups.
- There was strong support for building the disposal cost into the cost of a chemical assessment, with clear disposal recommendations in all assessments.
- Chemical assessment process should provide all labelling and MSDS advice. Better labelling and more relevant MSDS advice, particularly to include consumer and environmental health settings was seen as a priority. There was strong support for providing hazard and risk advice at the point of sale of a chemical and to include advice on mixing chemicals.

Key issues for the implementation of the review

It was recognised at all forums that an overarching implementation plan was needed to support the existing chemicals review that included full public engagement.

All forums identified the need for NICNAS to actively put in place mechanisms to generate key information and databases needed for the enhanced assessment of chemicals. These mechanisms needed to be established concurrently with the existing chemicals review. It was suggested that more independent and government generated research be included in the assessment of chemicals.

It was strongly identified that clinicians required education in identifying and handling chemical injury in the community. It was recommended that NICNAS actively raise awareness and educate the health sector about chemical risks, exposures and injury.

General issues outside of the review

In general all forums were critical that there were too many chemical regulators. This was confusing for the public and did not seem to benefit the regulation of chemicals for any sector.

Strong concerns were identified for the issue of carcinogenic chemicals and their impacts on health and environment. It was felt that not enough protections were afforded to health and environment from the often multiple and synergistic impacts of particularly those chemicals known to be carcinogenic. Motor fuels were identified high-risk environmental pollutants lacking rigorous assessment and regulation.

Concern was raised about the stockpiles of old chemicals and their options for disposal. It was felt that NICNAS should play a central role in resolving this issue and that strong regulation was needed to control risks to health and environment.

Most forums commented on the lack of assessment for 'products', which were seen as boxes of chemicals, requiring specific and more in depth assessment. It was felt that NICNAS needed to address this issue.

There was general support for NICNAS to identify those industries/companies using safer chemical alternatives and to highlight and congratulate these companies for doing so. A system of benefits or awards could help the consumer make better safer chemical choices and promote the use of safer alternatives in general. The community wants to know this information, the environment and public health would benefit and it would raise the standards for all industry to follow. A win-win for all.

