

Security Substances Newsletter

Workplace Standards Tasmania — Issue 4: May 2008



DEPARTMENT of JUSTICE

1. SHOT-FIRER RECEIVES PENALTY FOR NON-COMPLIANCE

After an initial investigation by Tasmania Police and a further enquiry by Workplace Standards Tasmania, a northern Tasmanian shot-firer had his shot-firer's permit revoked for non-compliance with the *Dangerous Goods Act 1998*.

The primary matters leading to the revocation included:

- inadequate security of explosives under the control of the shot-firer, i.e. failure to lock containers whilst located at a residential premise
- poor record keeping, i.e. failure to keep accurate inventory records of explosives held and failure to keep records of blasting activity recently undertaken
- failure to notify and obtain permission to blast from a municipal council

Workplace Standards Tasmania reminds all shot-firers and persons with responsibilities under dangerous goods legislation for the safe control of explosives, that they face severe penalties for non-compliance, especially where community safety has been compromised.

If you have obligations under the Dangerous Goods Act you must ensure that:

- **blasting explosives/detonators are secure from unauthorised access.**
- **blasting management, planning and record keeping is accurate and in accordance with explosives regulations.**

2. STORAGE OF AMMONIUM NITRATE (AN)

Security Sensitive Dangerous Substances (SSDS) permit holders should always consider the way in which AN is stored, and ensure measures are followed to monitor any potential for loss. There are a number of options for AN storage and a common method is the use of bulka bags.

Security controls always need to be paramount but safety and avoidance of contamination should equally be considered. In any storage, the risk from accidental fire and explosion is reduced by removal of flammable materials and ignition sources. However, adequate protection from the weather is also essential. Poor drainage of stormwater or build up of moisture through condensation are two possible problems.

There should be suitable cover and a location selected on ground that is slightly raised and sloped to prevent the accumulation of rainwater. Another consideration is variations in the type of bulka bags and inner linings used. It is quite likely that these may differ in their ability to resist water.

With the imminent onset of winter, these matters require attention because in adverse circumstances, it is possible to find AN prill breaking down considerably or leaching from the bags. If not monitored, it may lead to a considerable loss of product and contamination.

3. REMINDER – RESTRICTIONS ON PURCHASE OF EXPLOSIVES

Under the current Dangerous Goods legislation, you cannot purchase blasting explosives without holding a shot-firer permit. Regulation 64 of the Dangerous Goods (General) Regulations 1998 states:

Restrictions on purchase of explosives. A person must not purchase explosives unless-

- (a) that person holds -
 - (i) a shot-firer's permit or
 - (ii) a keeper's licence for keeping explosives

Regulation 79 of the Dangerous Goods (General) Regulations 1998 states:

"The owner, occupier or person in charge of a licensed depot who consigns, delivers or supplies blasting explosives, propellant powders or detonators to another person must keep a record –

- (a) showing the name and address of that other person; and
- (b) showing the date of consignment, delivery or supply; and
- (c) showing the quantity of the items consigned, delivered or supplied; and
- (d) containing a description of those items."

To maintain security at all stages of supply there can be no exceptions to such obligations.

4. LEGISLATION UPDATE

The SSDS Amendment Bill was passed by the House of Assembly (Lower House) of the Tasmanian Parliament on 7 April 2008. It is hoped that it will be debated by the Legislative Council (Upper House) in June. If passed by the Legislative Council, the Bill will go on to be proclaimed as law shortly afterwards.

Stakeholders will be aware that this Bill, to amend the Security-sensitive Dangerous Substances Act principally concerns the placement of certain explosives (typically blasting explosives) onto the schedule of substances deemed to be 'security-sensitive'.

5. The Australian Explosives Code (AE Code)

The AE Code has been revised and released for public comment. This revision updates the technical provisions, operational content, and the list of explosives. It addresses concerns of industry, as well as security matters relating to the transport of explosives. It also aligns the AE Code more closely with the UN Recommendations on the Transport of Dangerous Goods Model Regulations and the Australian Code for the Transport of Dangerous Goods (ADG Code).

At the next Australian Forum of Explosive Regulators (AFER) meeting in Hobart, 20, 21 & 22 May 2008, all public comment will be considered to finalise this edition of the Code. AFER comprises Commonwealth, State and Territory regulators and provides for industry representation.

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