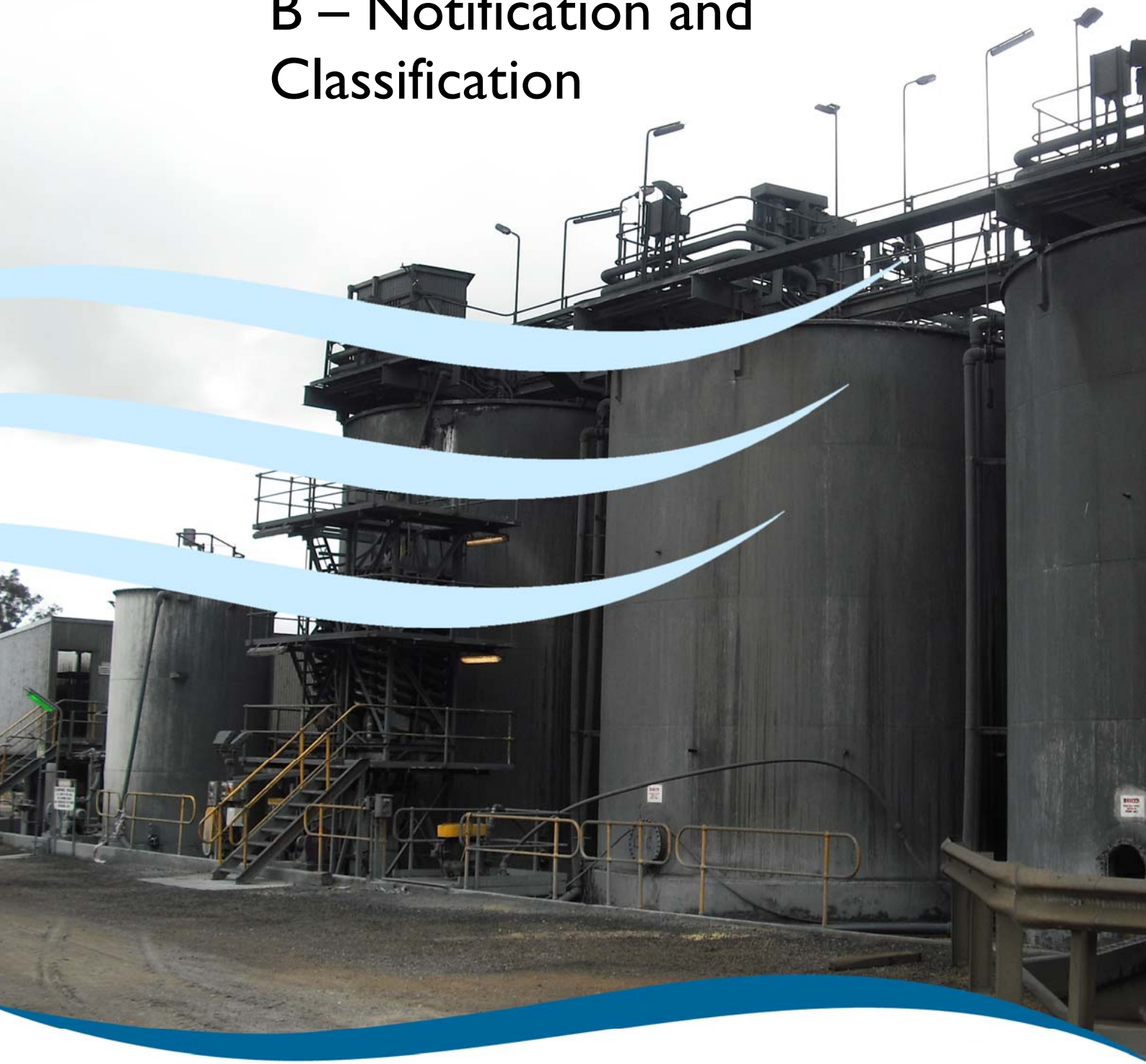


# Guidelines for Major Hazard Facilities B – Notification and Classification



## **Disclaimer**

This information is for guidance only and is not to be taken as an expression of the law. It should be read in conjunction with the *Dangerous Substances (Safe Handling) Act 2005*, the *Dangerous Substances (Safe Handling) Regulation 2009* and any other relevant legislation. Copies of the legislation can be purchased from Print Applied Technology: call (03) 6233 3289 or free call 1800 030 940. It is also available on the Internet at [www.thelaw.tas.gov.au](http://www.thelaw.tas.gov.au)

## **Acknowledgement**

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We welcome your feedback on this guide. Send to: [wstinfo@justice.tas.gov.au](mailto:wstinfo@justice.tas.gov.au)

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## I Introduction

The *Dangerous Substances (Safe Handling) Act 2005* (the Act) and the *Dangerous Substances (Safe Handling) Regulations 2009* (the Regulations) use the terms ‘dangerous substances location’ (DSL), large dangerous substances location (LDSL), ‘major hazard facility’ (MHF) and possible major hazard facility (PMHF) to refer to places where dangerous substances are handled in aggregate quantities exceeding prescribed quantities. The legislation assigns safety obligations to all facilities. Workplace Standards Tasmania’s Guide *Dangerous Substances Location – Guide for Occupiers* provides more information about how to determine whether the facility is a DSL, LDSL, MHF or a PMHF and can be accessed at: [www.wst.tas.gov.au](http://www.wst.tas.gov.au)

Regulations 8 to 11 of the Regulations prescribe the quantities for:

- a facility to be a PMHF
- a facility to be classified as a MHF
- a facility to be a DSL
- a DSL to be a LDSL

### I.1 List of Acronyms

- AFARP – As far as reasonably practicable = ALARP
- DS – Dangerous Situation
- DSE – Dangerous Substances Emergency
- DSL – Dangerous Substances Location
- EP&Ps – Emergency Plans and Procedures
- LDSL – Large Dangerous Substances Location
- MHF – Major Hazard Facility
- NOHSC – National Occupational Health and Safety Council
- PMHF – Possible Major Hazard Facility
- SMS – Safety Management System
- SR – Safety Report
- SRA – Systematic Risk Assessment
- the Act – *Dangerous Substances (Safe Handling) Act 2005*
- the Regulations – *Dangerous Substances (Safe Handling) Regulations 2009*
- the Secretary – The Secretary of the Department of Justice
- WST – Workplace Standards Tasmania

## **1.2 Prescribed Quantities – Facility Manifest and Notification**

The occupier of a facility must maintain a current manifest of the dangerous substances that are handled at the facility and consult the Regulations for the prescribed quantities to determine whether the facility falls into the category of a DSL, LDSL, PMHF or a MHF. The prescribed quantities for DSLs and LDSLs are based on Schedule I of the National Standard for the Storage and Handling of Workplace Dangerous Goods [NOHSC:1015(2001)] referred to in the legislation as the National Standard; and the prescribed quantities for PMHFs and MHFs are based on Schedule I of the National Standard for the Control of Major Hazard Facilities [NOHSC:1014(2002)] referred to in the legislation as the MHF National Standard. These Schedules list a number of dangerous goods classes, individual dangerous substances and combustible liquids together with their corresponding threshold /manifest quantities.

Where the occupier of a facility determines that the facility falls into the category of a LDSL, PMHF or MHF the occupier must notify the Secretary about the facility in accordance with the applicable Section of the Act ie either Section 33, 34, 35, 36 or 48 of the Act.

For the purposes of notification the occupier of the facility must complete the Notification Form and return it to Workplace Standards Tasmanian (WST).

The Notification Form is available from the WST website [www.wst.tas.gov.au](http://www.wst.tas.gov.au)

Upon receipt of the Notification Form WST will assess the information contained in the Notification Form and where it appears that the facility is in the PMHF or MHF category the process of classification that determines whether the facility is a MHF will occur.

## **1.3 Classification of a Facility as a MHF**

The Secretary must classify the facility as a MHF in accordance with Sections 30 and 31 of the Act.

The classification criteria relate to:

- the presence or likely presence of dangerous substances at the facility;
- the potential for a dangerous substances emergency to occur at the facility; and
- the extent to which a dangerous substances emergency at the facility would pose a risk to persons, property or the environment.

The Secretary must not classify a facility as a MHF without first consulting with the occupier. The notice of classification must be published in the Government Gazette.

Section 91 of the Act provides the occupier of a facility, who is aggrieved by the decision of the Secretary to classify the facility as a MHF, with a review mechanism of the Secretary's decision.

Once the classification of a facility as a MHF has been completed the occupier takes on the additional obligations contained in Part 4 Division 3 of the Act. These additional obligations continue to exist whilst the facility is classified as a MHF.

## 2 Legislation Requiring Notification

### 2.1 Relevant Sections of the Act

The Act requires occupiers to notify the Secretary of:

- Existing PMHFs (Section 33).
- New PMHFs (Section 34).
- Upgrades of facilities (Section 35).
- Modifications to MHFs (Section 36).
- Possible large dangerous substances locations (Section 48).

To find out whether you need to notify or not you need to check the Act as well as the Regulations.

### 2.2 Conditions Requiring Notification

The Act requires the occupier to notify the Secretary in the approved form when any of the three following conditions exist:

- Table 1 of Schedule 1 of the MHF National Standard specifies 43 dangerous substances with their UN numbers and their individual threshold quantities. Where the quantity of a substance handled at a facility exceeds 10% of the threshold quantity for that substance, you are required to notify the Secretary.
- Table 2 of Schedule 1 of the MHF National Standard specifies a number of dangerous goods classifications and the threshold quantities for each Class. The threshold quantity for a dangerous substance with a subsidiary classification and/or Packing Group is identified below its respective Dangerous Goods Classification. Where the quantity of a dangerous substance at a facility exceeds 10% of the threshold quantity for its dangerous goods classification, notification is required.

The classification of dangerous substances by dangerous goods classes and Packing Group is listed in Volume I of the Australian Dangerous Goods Code 7<sup>th</sup> Edition.

- The aggregation rule must be applied where there is more than one dangerous substance or classification of dangerous substance at the facility and the quantities of

dangerous substances or classifications of dangerous substances are less than the threshold quantities of Schedule 1 of the MHF National Standard. Where the application of the aggregation rule produces a result exceeding 0.1, notification is required.

### **2.3 Timeframe for Notification.**

Sections 33, 34, 35 and 36 of the Act detail the notification timeframes for the different MHFs scenarios that will occur once the legislation becomes law.

#### **Existing Possible Major Hazard Facilities – Section 33 of the Act**

For PMHFs that are operational at the time of commencement of the Act (i.e. when the Regulations are made and the Act is proclaimed), the occupier must notify the Secretary within 3 months of that date.

For example, if the Act commences on 1 July 2009, the occupier must notify the Secretary of an existing possible MHF by 30 September 2009. WST will advertise the making of the Regulations and commencement of the Act on the Workplace Standards Tasmania – [www.wst.tas.gov.au](http://www.wst.tas.gov.au)

#### **New Facilities - Section 34 of the Act**

For new PMHFs which are scheduled to commence operations after the time of commencement of the Act (i.e. when the Regulations are made and the Act is proclaimed) the occupier is required to notify at the Secretary in accordance with the timeframes specified in Section 34 of the Act. This notification procedure is in addition to any planning approvals required for new facilities, and it is specifically to ensure that even though classification as a MHF is yet to occur the occupier must demonstrate how the safety obligations are to be met through the submission of a safety report.

#### **Upgrade of Facility - Section 35 of the Act**

For a facility which is upgraded in such a manner that it becomes a PMHF the occupier must notify the Secretary in accordance with the timeframes specified in Section 35 of the Act.

#### **Modification of Existing Major Hazard Facility - Section 36 of the Act**

Before an existing MHF is modified in a manner which may significantly alter its risk profile (either through hardware change or by deviation from what was outlined in documentation provided to the authority), the occupier is required to notify the Secretary about the nature of the modifications in accordance with the timeframes specified in Section 36 of the Act.

## **3 Determination of Quantities for Notification**

### **3.1 General Principle**

This section explains how an occupier should satisfy the statutory obligation to compile an inventory and complete a manifest. The quantities of dangerous substances present or likely to be present at a facility must be included in the total manifest of the facility e.g. the quantities of the dangerous substances in storage, in operations or processes, in pipelines, in waste products, and contained in plant, installations or internal site transport. It is mandatory to account for all these.

A facility may contain varying quantities of the dangerous substances. Variations may be caused by any number of factors e.g. supply rates, off-take rates, seasonal variations etc. The quantities used to determine whether notification is required must be the maximum quantities of the dangerous substances handled or likely to be handled at the facility.

An occupier must compile a manifest of dangerous substances including classifications of dangerous goods at the facility. The occupier must compare this manifest with the dangerous substances and classifications of dangerous goods specified in Schedule I of the MHF National Standard to determine if relevant threshold quantities are exceeded or if a calculation of the Aggregation Rule yields a result in excess of 0.1.

### **3.2 Specific Examples**

#### **Chemical Storages and Tank Farms**

For chemical storage facilities, the quantity of dangerous substances must include the combined capacity of all storage tanks, vessels, containers, pipelines etc, assuming each to be 100% full rather than at the maximum working quantity.

#### **Chemical Process Plant of Dangerous Substances**

For process plants, the quantity calculations must be based on the high-level alarm point in each process vessel, provided control and shutdown systems prevent greater quantities accumulating. The densities of liquids and gases in storage or process equipment vary according to pressure and temperature, and calculations must be based on the worst-case combination for each equipment item within the plant's safe operating envelope of parameters.

Vapour spaces above liquids in process equipment (e.g. in vacuum distillation columns, flash drums, condensers, refrigeration systems etc.) and other such spaces which cannot become filled with liquid, should be assessed on the quantity of vapour.

The manifest of dangerous substances within a processing plant must include the quantities in pipelines up to the isolation valves at the perimeter of the plant.

### **Pipelines**

The site manifest of dangerous substances must include the quantities contained in pipelines per the capacity of the pipelines outside process areas within a facility's boundary or the largest quantity that could escape following a catastrophic failure of a pipeline, whichever is the larger.

### **Packaged and Bulk Storages**

The maximum quantity of each dangerous substance present, or likely to be present, in a packaged store or bulk warehouse must be included in the site manifest.

### **Solutions and Formulations**

Where dangerous substances specified in Schedule I of the MHF National Standard are present in a facility in solutions, formulations, mixtures or preparations, the individual quantities of dangerous substances must be determined from solution, formulation, mixture or preparation composition and included in the facility manifest of dangerous substances.

### **Dangerous Substances in Transit**

Dangerous substances in intermediate storage within a facility but in transit by road and rail may be excluded from the assessment of quantities onsite. Similarly, substances transiting a facility by road/rail whilst other goods are being loaded onto or unloaded from a vehicle are excluded from the facility manifest. As a general rule, substances in transit may be excluded if they are present for periods less than 5 days and their presence is not a normal or routine occurrence.

This exclusion is not intended to apply to facilities where, although individual substances are held only intermittently and for short periods, the aggregate quantity remains significant for extended periods, e.g. a major warehouse.

A special case applies to installations such as freight or container holding yards (eg for shipping across a wharf or rail storage yard) where the function of the facility is purely the transiting of containers that are not opened. Classification is not required as long as the unopened containers are moved within 24 hours. Regulators have adopted this approach nationally. Note that this does not remove any requirement to undertake risk assessments and develop procedures for the handling of the dangerous substances.

### **Dangerous Substances on Ships**

Dangerous substances on ships which are unloading or loading at a facility are not considered to be part of the facility's manifest of dangerous substances. Substances within the facility which are being loaded onto ships or unloaded from ships are considered to be part of the facility manifest of dangerous substances

### **Isolated Quantity**

Where a dangerous substance specified in Schedule I of the MHF National Standard is present, or likely to be present, in an isolated quantity which is less than 2% of its individual threshold quantity, that quantity is not considered to be part of the facility's manifest of dangerous substances.

## **3.3 Aggregation Rule**

Where a facility handles or processes a number of different dangerous substances which are specified in Schedule I of the MHF National Standard but with quantities below threshold quantities, the occupier must apply the aggregation rule specified in the Schedule to the quantities of dangerous substances present or likely to be present. Where the formula produces a result greater than 0.1, then the occupier must notify the Secretary.

**Guide Note 1 - Examples of Aggregation Calculations****Example 1**

A facility contains the following manifest of dangerous substances.

Scheduled Materials Present	Maximum Quantity Present (tonnes) qn	Threshold Quantity (tonnes) Qn	Ratio Of Threshold qn/Qn
Chlorine	2.00	25	0.08
Ethylene Oxide	4.00	50	0.08
Flammable Liquids (Class 3 PGIII)	500.00	50,000	0.01
LP Gas	40	200	0.2

Because the facility stores mixed types of substances but each is below the corresponding threshold quantity, the aggregation rule should be applied:

$$\frac{2.00}{25} + \frac{4.00}{50} + \frac{500.00}{50,000} + \frac{40.00}{200} = 0.08 + 0.08 + 0.01 + 0.2 = 0.37$$

Since the total aggregation sum is greater than 0.1, the occupier has an obligation to notify the Secretary.

**Example 2**

A warehouse stores the following dangerous substances.

Scheduled Materials Present	Maximum Quantity Present (tonnes) qu	Threshold Quantity (tonnes) Qn	Ratio Of Threshold qn/Qu
Ammonia (100 per cent)	2.6	200	0.013
LP Gas	8.0	200	0.04

Aggregation Sum = 0.053

Since the aggregation sum is less than 0.1, the occupier is not obliged to notify the Secretary.

### **3.4 Largest Containment System**

At a facility a dangerous substance may be present in a number of process systems or storage vessels. The Secretary requires information about the largest single system at the facility which contains that dangerous substance. The largest single system is that system which if its containment is ruptured, releases the largest quantity of that substance in the facility. The system may be a tank, storage vessel, pipeline or a section of process equipment. The limits of the system are determined by the existence of quick acting isolating mechanisms such as automated valves which can be activated by control systems.

The information required includes the quantity of dangerous substance in the system, the maximum temperature and pressure of the dangerous substance in that system and the location of the system within the facility. Where the system contains a number of dangerous substances the occupier should consult with the Secretary as to the level of detail required.

Section 5.3 of this Guide explains how this information will be used by the Secretary.

## **4 Completion of Notification Form**

Notification must occur in the approved form which is available from the Secretary and WST web page [www.wst.tas.gov.au](http://www.wst.tas.gov.au). This section provides guidance on how the occupier is to complete the approved Notification Form.

### **Section 1 Occupier Details**

This information identifies the occupier. The Notification Form is structured to allow company reporting rather than individual reporting. In many cases the registered name and address may not be that of the facility.

### **Section 2 Facility Details**

This information locates the facility, its postal address and contact details. The location should be sufficiently detailed to allow the Secretary or a nominated person to travel to the facility without needing further information.

### **Section 3 Reason for Notification**

The occupier must nominate that section of the Act which the occupier considers is the section that requires the notification. Where notification is required because of a change in circumstances at the facility e.g. upgrades and modifications, the occupier must nominate the date at which the change is expected to occur.

### **Section 4 Attachments**

The following information is required and must be attached to the Notification Form:

- A brief description of the nature of the facility. The occupier must provide information which characterises the facility including the activities carried out at the facility, its storages and its processes. The occupier must place emphasis in the description on those activities or sections of the facility which are predominantly involved in the handling of all dangerous substances. The information should be brief and succinct;
- A site plan(s) on a scale that adequately shows the layout of the facility and the location of those systems, which contain dangerous substances listed in Schedule I of the MHF National Standard and which at a minimum meets the requirements of Section 40(3) of the National Standard;

- The site plan must include details of the location of the system containing the largest quantity of each dangerous substance or combustible liquid in the facility and show the distance of that system to the facility boundaries;
- The number of people including contractors normally located at the facility;
- Details of all dangerous substances emergencies and dangerous situations during the previous 10 years at the facility, or for the life of the facility where operations have been in existence for less than 10 years, which have adversely affected people, property and/or the environment outside the facility;
- An indicative manifest for the site, in a format which would suit the requirements of Regulation 23 of the Regulations. This must include all dangerous goods and combustible liquids on site.
- For substances specified in Schedule I of the MHF National Standard the occupier must use Table I of the Notification Form to notify the Secretary. The number of significant figures in the reported quantity of each dangerous substance must reflect the accuracy of the primary measurements used to determine that quantity. For substances specified in Schedule I of the National Standard the occupier must use Table 2 of the Notification Form to notify the Secretary.
- The occupier must indicate in Section 4 of the Notification Form the information included with the Notification Form as attachments.

### **Section 5 Provision of Information**

The Notification Form must be signed by the Occupier of the facility to certify that the information included in the form and attachments is correct.

### **Section 6 Contact Details**

The Secretary will direct any requests for clarification or additional details about the notification to the responsible person named in section 5. The form allows for inclusion of the details of a contact person where that person differs from the responsible person.

## 5 Classification

### 5.1 Criteria for Classification

The conditions which may cause a facility to be classified as a MHF by the Secretary are contained in Section 30 of the Act.

Section 30(1) of the Act requires the Secretary to classify a facility as a MHF if the Secretary is reasonably satisfied that:-

1. dangerous substances are, or are likely to be, handled at the facility in greater than prescribed quantity; and
2. a dangerous substances emergency at the facility could pose a risk to persons, property or the environment outside the facility.

Section 30(2) of the Act allows the Secretary to classify the facility as a MHF if the Secretary, having regard to both the following matters, is reasonably satisfied that the requirements applying under the Act for MHFs should apply to the facility :-

1. the potential for a dangerous substances emergency to occur at the facility;
2. the extent to which a dangerous substances emergency at the facility would pose a risk to persons, property or the environment.

Facilities which notify under Section 33, 34 or 35 of the Act and pose a risk outside the facility will be classified under Section 30(1) of the Act. Classification under Section 30(2) of the Act occurs where the dangerous substance quantities are less than threshold quantities as identified in Schedule I of the MHF National Standard but, as a result of specific circumstances, a dangerous substances emergency at the facility poses a risk to people, property or the environment.

### 5.2 Guiding Principle for Risk Evaluation

Risk is a function of two factors, consequence and likelihood. The following equation describes the relationship:

$$\text{Risk} = \text{Consequence} \times \text{Likelihood}$$

The consequences of a dangerous substances emergency can be assessed with a degree of certainty. The extent and magnitude of overpressure from an explosion, heat flux from a

fire and the toxic substance release can be calculated. The intensity of overpressure and heat flux which can cause injury to people or damage to property and the environment is known. The effect of toxic substances on people and the environment can be calculated based on the toxicity of the substance, the exposure time and concentration.

Determination of the likelihood of dangerous substances emergency at a facility is a much more uncertain process; however if a dangerous substances emergency can occur then the likelihood of occurrence is greater than zero. Referring to the above equation, if the likelihood of a dangerous substances emergency is greater than zero then a risk exists.

The Act states that a dangerous substances emergency at a facility means an incident that exposes persons, property or the environment in the vicinity of the place where the incident occurs to an immediate risk of serious harm from one of the following:

- (a) the escape, spillage or leakage of dangerous substances;
- (b) a fire or explosion involving dangerous substances;
- (c) a harmful reaction from dangerous substances;
- (d) the evolution of flammable, corrosive or toxic vapours from the dangerous substances.

### **5.3 Dangerous Substances Emergency Scenario**

In a facility a dangerous substance may be present in a number of process systems or storage vessels. For the purpose of classification the Secretary considers a dangerous substances emergency arising from the sudden release of the total quantity of a Table 1 or 2 substance(s) contained in the largest single system in the facility referenced in the Notification Form.

In the Notification Form the occupier lists that facility item (tank, storage vessel, pipeline) which holds the maximum quantity of each of the Table 1 and 2 substances, the quantities contained therein and their location on the site. This information allows the consequences of a dangerous substances emergency to be modelled and any resultant impact outside the boundary fence of the facility to be assessed.

## 5.4 Criteria for People and Property

The consequences of a dangerous substances emergency will be one or more of the following:

- toxic impact arising from the release into the environment of a toxic substance;
- overpressure impact arising from an explosion; and/or
- heat flux arising from a fire.

Consequences which are considered to constitute an offsite risk are as follows:

- Overpressure of 7 kPa outside the facility boundary arising from an explosion;
- Radiant heat level of 5 kW/m<sup>2</sup> for 40 seconds outside the facility boundary arising from a fire; and
- Toxic concentrations in the atmosphere exceeding Emergency Response Planning Guidelines 2 concentrations outside the facility boundary.

### **Guide Note 2 - Consequence Criteria**

#### Explosion

An overpressure of 7 kPa causes shattering of glass windows, damage to internal partitions of buildings which can be repaired, a 10% likelihood of injury and no likelihood of fatalities.

#### Heat Flux

A person exposed to a radiant heat flux of 5 kW/m<sup>2</sup> suffers pain in 15 to 20 seconds and second degree burns after 30 seconds exposure.

#### Toxicity

The American Industrial Hygiene Association has developed the Emergency Response Planning Guidelines (ERPGs). ERPG-2 is defined as the maximum airborne concentration below which it is believed nearly all individuals could be exposed for up to one hour without experiencing or developing irreversible or other serious health effects or symptoms that could impair an individual's ability to take protective action.

## 5.5 Criteria for Environment

Fire and explosion have consequences for people and property. They also have consequences for the environment but usually to a lesser extent. Environmental impact is more likely to occur when, as a consequence of a dangerous substances emergency, a dangerous substance which has a severe immediate or chronic impact on flora and fauna is released into the environment.

The Secretary considers the following matters in assessing the environmental risk posed by a facility:

- the type and location of sensitive environmental receptors such as water courses, dams and weirs, aquifers, bird sanctuaries and wet lands that could be affected by a dangerous substances emergency;
- the environmental toxicity of substances which may be released into the environment in the event of a dangerous substances emergency. It is not unusual for a dangerous substance which is not toxic to people to be toxic to some types of flora or fauna; and
- the quantity of environmentally sensitive dangerous substance(s) which may enter the environment as a consequence of a dangerous substances emergency.

The likely overall environmental impact of a dangerous substances emergency is then assessed taking into consideration the factors mentioned above.

Where an offsite risk to people or property has been established for a facility, it is unlikely that environmental risk will be closely examined for classification purposes from the aspect of MHF safety.

## 5.6 Consequence Modelling

The occupier will determine the consequences of each dangerous substances emergency at a facility, as defined in Section 5.3 of this publication, and identify any offsite consequences. Where the initial screening does not provide a clear indication that the offsite criteria have been met or exceeded, further modelling (including examination of sensitivities) may be required using more sophisticated modelling programmes.

Where the criteria for offsite consequence have been met or exceeded at locations outside the facility's boundary fence or property line an offsite risk is deemed to exist.

### **Guide Note 3 - Screening Tool**

One screening tool that can be used is RMP Comp (Ver 1.06) which has been developed by the United States Environmental Protection Agency, Chemical Emergency Preparedness and Prevention Office to carry out the modelling calculations for their Risk Management Program. The US EPA has published a manual describing the model - *Risk Management Program Guidance for Offsite Consequences Analysis*. It can be obtained, free, from the web site:

[www.epa.gov](http://www.epa.gov)

The model calculates the endpoint of a dangerous substances emergency impact. The endpoint is the distance a toxic vapour cloud release, heat from a fire, or blast waves from an explosion will travel before dissipating to the point where serious injuries and property damage from short-term exposures are unlikely to occur. The end point is defined by the criteria listed in section 5.3 and 5.4 of this Guideline.

Note that the object of consequence modelling this is just one approach

## **5.7 Occupier Consultation**

Section 30 of the Act requires the Secretary to consult with the occupier of a facility before making a decision about classification of the facility as a MHF. The occupier has the opportunity to respond.

A submission by an occupier addressing offsite risk will be thoroughly reviewed both with respect to assumptions and to models and calculations. Determination of the offsite consequences arising from a dangerous substances emergency remains the key to classification.

The units of measurement (eg tonnes, cubic metres) must be noted, as well as temperature(s) and pressure(s) where appropriate.

## 6 Communications with Secretary

WST will provide information to the occupier about the notification and classification process. In chronological order this information will include:

- Acknowledgment by letter of receipt of Notification
- Request for further clarification and/or additional Information  
Where the information supplied by the occupier in the notification is considered inadequate or unclear the Secretary may request additional information.
- Preliminary decision to classify a facility

A panel comprising representatives of relevant Government Agencies and public authorities will assess the notification information to determine whether the facility meets the criteria to be classified as a MHF and advise the Secretary accordingly of its recommendation.

The whole process of classification must be conducted in consultation with the occupier. This means that the panel assessing the facility may seek additional information and/or ask the occupier to attend a meeting with the panel so that a good, clear understanding of the nature of the facility, its operations and any factors that may assist the classification panel to make a decision/recommendation.

Where it appears that a facility meets classification criteria the Secretary will notify the occupier in writing.

- **Final decision to classify a facility**

The Secretary must consult with the occupier prior to making the final decision on classification.

The Act requires that the classification of a facility as a MHF is published in the Government Gazette. The occupier will be notified of the date of the gazettal by letter which will also specify the dates by which the various obligations for MHFs under the Act must to be discharged.

- **Decision not to classify a facility**

Where a decision has been taken not to classify a facility as a MHF the Secretary will also notify the occupier in writing.

In such cases the occupier of the facility must ensure that the provisions of the legislation that apply to large dangerous substances locations are complied with as a minimum.

- **Right of Appeal**

Section 91 of the Act allows the occupier to appeal the Secretary's decision to classify the facility as a MHF.

## 7 Summary of Occupier's Requirements

The occupier may use the following as a check list. The occupier of a "possible MHF" is required to:

- Tick  
Box
- Complete a detailed inventory of all dangerous substances handled at the facility and outline of the operations they are associated with to determine whether the facility falls into the category of being a possible major hazard facility.
  - Prepare a manifest.
  - Compare the manifest with the prescribed dangerous substances and dangerous substance classes specified in Schedule I of the MHF National Standard
  - notify the Secretary by using the Notification Form if: 
    - any of the facility's manifested dangerous substances exceeds 10% of the relevant prescribed quantity in Schedule I of the MHF National Standard;
- OR
- for a group of dangerous substances that are specified in the Schedule I of the MHF National Standard the aggregation rule yields a number for the facility greater than 0.1
  - respond to a notice from the Secretary for further information or clarification about the facility by the required date.

## 8 Additional Information

The guidelines, additional information or clarification of any of the issues raised in the guidelines can be obtained by contacting Workplace Standards Tasmania, Department of Justice, at any of the following addresses:

Postal: PO Box 56, ROSNY PARK, TAS 7018  
Tel: 1300 366 322 (within Tasmania)  
(03) 6233 7657 (outside Tasmania)  
Fax: (03) 6233 8338  
E-mail: [wstinfo@justice.tas.gov.au](mailto:wstinfo@justice.tas.gov.au)  
Web: [www.wst.tas.gov.au](http://www.wst.tas.gov.au)

Copies of the *Dangerous Substances (Safe Handling) Act 2005* and *Dangerous Substances (Safe Handling) Regulations 2009* can be obtained from Print Applied Technology P/L at any of the following addresses:

Postal: PO Box 307, HOBART, TAS 7001  
Street: 33 Innovation Drive, Technopark  
DOWSING POINT, TAS 7010  
Tel: (03) 6233 3360  
Fax: (03) 6233 5346  
Web: [www.thelaw.tas.gov.au](http://www.thelaw.tas.gov.au)

Copies of the National Standard for the Control of Major Hazard Facilities [NOHSC:1014(2002)], National Code of Practice for the Control of Major Hazard Facilities [NOHSC:2016(1996)], National Standard for the Storage and Handling of Workplace Dangerous Goods [NOHSC:1015(2001)] and National Code of Practice for the Storage and Handling of Workplace Dangerous Goods [NOHSC:2017(2001)] can be obtained from Safe Work Australia, at any of the following addresses:

Postal: GPO Box 9880, CANBERRA, ACT 2601  
Tel: (02) 6121 5317

Fax: (02) 6121 9284  
Web: [www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au)

Copies of Australian Standards AS 3745 : Emergency Control Organisations and Procedures for Buildings, Structures and Workplaces, AS/NZS 3931 : Risk Analysis of Technological Systems – Application Guide, AS/NZS 4360 : Risk Management, AS/NZS 4581 : Management System Integration – Guidance to Business, Government and Community Organisations; AS/NZS 4801 : Occupational Health and Safety Management Systems – Specification with Guidance for Use, HB76 : Dangerous Goods – Initial Emergency Response Guide and HB221 : Business Continuity Management can be obtained from SAI GLOBAL at any of the following addresses:

Tel: 131 242  
Fax: 1300 654 949  
Web: [www.saiglobal.com/shop](http://www.saiglobal.com/shop)

The Health and Safety Executive (United Kingdom) has an excellent reference library to assist with Emergency Planning for Major Accidents and Preparing Safety reports for its Control of Major Accident Hazard Regulations 1999 (COMAH) and can be accessed by its website: [www.hse.gov.uk/comah/](http://www.hse.gov.uk/comah/)

The Hazardous Industries and Chemicals Branch of the Department of Employment and Industrial Relations, Queensland, has an excellent reference library to assist with Major Hazard Facilities in respect to systematic risk assessment, safety management systems, emergency plans and procedures etc and can be accessed by its website: [www.deir.qld.gov.au](http://www.deir.qld.gov.au)

Likewise WorkSafe Victoria also has an excellent reference library to assist with Major Hazard Facilities matters and can be accessed by its website: [www.workcover.vic.gov.au](http://www.workcover.vic.gov.au)

ISO/PAS 22399 : Societal Security – Guideline for Incident Preparedness and Operational Continuity Management published by the Business Continuity Institute is an excellent

resource on how to deal with emergency planning and can be accessed from its website:  
[www.thebci.org.au](http://www.thebci.org.au)

“Loss Prevention In The Process Industries” by Frank P. Lees, “What Went Wrong? Case Histories of Process Plant Disasters” and “Learning from Accidents in History” by Trevor Kletz are excellent resources and can be located on the web.





Tasmania

Explore the possibilities

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