

Senate Economics References Committee – illegal importation of asbestos

Public hearing – Monday 30 January 2017

Questions taken on notice by the Office of Industrial Relations

Question 1: How extensive was the shadow audit conducted by Workplace Health and Safety Queensland of the Yuanda sites across Queensland?

Following the discovery of imported asbestos containing material (ACM) at the 1 William Street site, and a new children's hospital being constructed in Western Australia, Yuanda Australia elected to commence testing all materials likely to contain asbestos that were supplied to 16 Queensland workplaces by Yuanda over the last nine years.

This testing, which was undertaken by an independent consultant, commenced in June 2016 and was completed in September 2016. The samples were sent to an independent National Association of Testing Authorities (NATA) accredited laboratory for analysis. The sampling methodology qualifications of the consultants and NATA laboratory were reviewed by Workplace Health and Safety Queensland (WHSQ) and found to be appropriate.

Soon after Yuanda commenced their sampling, WHSQ elected to commence shadow sampling of the materials and this was done by an inspector from the WHSQ Asbestos Unit. As Yuanda had already completed sampling at three locations, WHSQ conducted shadow sampling at 13 of the 16 sites and collected 72 samples of building materials across these 13 sites.

Analysis of the samples collected by the independent consultant and the WHSQ inspector were all negative for the presence of asbestos.

Question 2: What penalties are faced by companies and directors in Queensland if asbestos is used in construction?

Under s 419 of the *Work Health and Safety Regulation 2011*, a person conducting a business or undertaking must not carry out, or direct or allow a worker to carry out, work involving asbestos.

Work involves asbestos if the work involves manufacturing, supplying, transporting, storing, removing, using, installing, handling, treating, disposing of or disturbing asbestos or ACM.

The maximum penalty under this provision is 60 penalty units (\$6,000).