SUBMISSION

Public consultation on the prohibition on the use of engineered stone

Instructions

To complete this online submission:

- Download and save this submission document to your computer.
- Use the saved version to enter your responses under each question below. These questions are from the public consultation on the prohibition on the use of engineered stone.
- Once you have completed your submission, save it and upload it using the upload your submission link on the Engage submission form.

Submissions will be accepted until **11.59 pm on 2 April 2023.**

Additional documentation

Up to three additional documents can also be uploaded when you submit your response. Relevant documents to upload could include cover letters or reports with data and evidence supporting your views.

Help

If you are experiencing difficulties making your submission online, please contact us at occhygiene@swa.gov.au.

Respondents may choose how their submission is published on the Safe Work Australia website by choosing from the following options:

- submission published
- submission published anonymously
- submission not published

For further information on the publication of submissions on Engage, please refer to the Safe Work Australia Privacy Policy and the Engagement HQ privacy policy.

Please note the following are unlikely to be published:

- submissions containing defamatory material, and
- submissions containing views or information identifying parties involved in hearings or inquests which are currently in progress.

Your details

(Please leave blank if you wish to remain anonymous)

1. Name or organisation

Click or tap here to enter text.

2. Email used to log into Engage

Click or tap here to enter text.

Consultation questions

1. Do you support a prohibition on the use of engineered stone? Please support your response with reasons and evidence.

Evidence shows that engineered stone is the reason for the increase in cases of silicosis and silica-related diseases. This may be due in part to a lack of mandated controls to protect workers from exposure to silica and the lack of knowledge about the risks.

2. If yes, do you support a prohibition on the use of all engineered stone irrespective of its crystalline silica content? Please support your response with reasons and evidence.

I support a prohibition on the use of all engineered stone irrespective of its crystalline silica content due to the similarity of the health effects to those that arise from Exposure to asbestos. Limiting the content I believe will result in unauthorised production/use of stone which exceeds the acceptable content.

In addition to this, people respond differently to exposure to hazardous products. Even a percentage of silica is unhealthy, when exposures are repeated as a daily task in the industry. Small exposures will accumulate over time, ultimately resulting in disease.

Diseases such as this in which the effects are not immediate are often not diagnosed whilst the exposed worker is working with silica, but becomes apparent some time later when the worker is likely to be working else

3. If no, do you support a prohibition of engineered stone that contains more than certain percentage of crystalline silica? If yes, at what percentage of crystalline silica should a prohibition be set? Please support your response with reasons and evidence.

Click or tap here to enter text.

4. How many businesses work with engineered stone only?

For these businesses, please provide where possible:

a) the number of sole traders and small businesses (1-20 employees), medium businesses (21-200 employees), large businesses (>200 employees)
b) the number of workers in these businesses, by business size
c) the average annual revenue, by business size
d) the proportion of business activity with engineered stone containing 40% or more crystalline silica content, by business size
e) the proportion of business activity with engineered stone containing less than 40% crystalline silica content, by business size.

Please use the table below to enter this information.

Business type	**Description**	**Sole traders and small business**	**Medium business**	**Large business**
Business working with engineered stone only	Number of businesses			
	Number of people employed			
	total annual revenue (approximate, rounded to nearest $10,000)			
	Proportion of business activity involving ES with ≥ 40% silica			
	Proportion of business activity involving ES with <40% silica			

Click or tap to enter text.

5. How many businesses work with both engineered stone and non-engineered stone products?

For these businesses, please provide where possible:

a) the number of sole traders and small businesses (1-20 employees), medium businesses (21-200 employees), large businesses (>200 employees)
b) the number of workers in these businesses, by business size
c) the average annual revenue, by business size
d) the proportion of their business activity with non-engineered stone products, by business size
e) the proportion of their business activity with engineered stone containing 40% or more crystalline silica content, by business size
f) the proportion of their business activity with engineered stone containing less than 40% crystalline silica content.

Please use the table below to enter this information.

Business type	Description	Sole traders and small business	Medium business	Large business
Business working with both engineered stone and non-engineered stone products	Number of businesses			
	Number of people employed			
	Average yearly revenue (approximate, rounded to nearest $1000)			
	Proportion of business activity involving ES with ≥ 40% silica			
	Proportion of business activity involving ES with <40% silica			
	Proportion of business activity involving non-engineered stone products			

Click or tap here to enter text.

6. Do you have any data or information on the risks to workers from the other non-crystalline silica elements of engineered stone? Are these risks increased in engineered stone of less than 40% crystalline silica content?

I am not aware of the risks posed by other non-crystalline silica elements of engineered stone

7. In relation to Option 3, do you have:
    a) any information on the additional benefits of a licensing scheme over the enhanced regulation agreed by WHS ministers (Option 5a) that would already apply to engineered stone products containing less than 40% crystalline silica content?
    b) feedback on the implementation of concurrent licensing schemes for both prohibited engineered stone and non-prohibited engineered stone?

As engineered stone already exists in the built environment, it will need maintenance, management or removal in future. This will need to be undertaken by competent people able to mitigate the risks in working with the engineered stone to make safe or remove and dispose – similar to asbestos requirements

8. Are the assumptions and scenarios described for Option 6 in the Decision RIS accurate and appropriate? If not, why? Please provide additional information to support the impact analysis.

I support Option 6

9. Are there any other options or issues you think should be considered for a prohibition on the use of engineered stone?

Is it possible to suggest suitable alternatives to engineered stone?

10. Should there be a transitional period for a prohibition on engineered stone? If so, should it apply to all options and how long should it be?

There should be a transitional period to cover the period - and projects in progress – that involve engineered stone. Clear advice and information must be available to those required to work with the product – to ensure their safety in the meantime. Changes must be appropriately managed. Perhaps an interim licence/permit could be provided until the ban can be implemented – where applicants are required to submit a safety plan for the works.

11. Do you have any evidence or data on the number of cases of the other silica-related diseases (such as lung cancer, chronic obstructive pulmonary disease, kidney disease, autoimmune disease) attributed to exposure to crystalline silica from engineered stone?

No

12. Do you have any additional evidence or information on the impacts of silicosis or silica-related diseases?

    For example, the direct impacts on the affected worker from the disease, the impacts on the mental health of affected workers and their families, the healthcare costs to the affected worker, loss of income for affected workers and their families, the costs to the health, workers' compensation and social support systems.

I have none of this evidence, however we can learn from the past and our experience with asbestos. This is producing similar outcomes.