

NICNAS Review
GPO Box 58
SYDNEY NSW 2001

NATIONAL INDUSTRY CHEMICALS NOTIFICATION AND ASSESSMENT SCHEME (NICNAS) REFORMS: CONSULTATION PAPER 1

The Australian Paint Manufacturers' Federation (APMF) represents the surface coating industry in Australia. Surface coating manufacturers turn over approximately \$2.5 billion per annum and around 90% of all surface coatings used in Australia are currently manufactured here.

The APMF supports all of the key aims of the reform package, which are stated as follows:

- rebalancing pre-and post-market regulatory requirements to match the indicative risk profile of a new chemical;
- streamlining the existing risk assessment process for new and existing industrial chemicals;
- the greater utilisation of international assessment materials; and
- the use of more appropriate compliance tools.

Rebalancing the regulatory requirements of assessment efforts to be more proportionate to the risks should encourage innovation and investment. A reduced regulatory burden (and associated cost) will also encourage industry to introduce newer and safer chemicals.

The surface coating sector is also one of the largest users of NICNAS assessment services. Hence, the APMF is committed to supporting NICNAS to achieve the very best reform package possible.

The Consultation Process

The detail regarding the future classification will emerge in the following Consultation Papers. The two months (minimum) dedicated for each paper is considered to be appropriate and allows adequate time to provide our feedback. It is essential that when decisions made regarding future classifications, these decisions are based on all the available evidence.

Industry advice will therefore be critical in ensuring the right balance is achieved between risk and regulatory effort.

Use of International Assessments

The APMF supports the appropriate use of international assessments to classify chemicals in the Australian context, as outlined in the Consultation Paper.

However, the APMF questions why United States assessments could not also be considered fit for purpose as with Canadian and European Union assessments.

Increased use of assessments undertaken by a trusted overseas regulatory agency is a key efficiency required to reduce the current levels of red tape.

The APMF would argue strongly that the assessments carried out by the United States Environmental Protection Agency should and must be included in the future reformed NICNAS framework.

Framework and Regulatory Approach to Chemicals

The APMF supports the general framework applicable to each of the three classes, as proposed by Consultation Paper No. 1.

However, the APMF is concerned that the proposed benefits afforded to Class I chemicals may only be available to a very limited range of applications (chemicals being transhipped through Australia and chemicals used in small scale Research and Development activities), as discussed at the recent Consultations.

This outcome would not support the key aims of the reform package and, therefore, would not be supported by the APMF.

Audit Compliance

The APMF recommends that Australia align itself with the European Chemicals Agency (ECHA) target of 5% in its compliance program, as a more realistic international benchmark.

Conclusion

The APMF remains committed to working with NICNAS to enable Australia to be more innovative and thus be able to have industry and jobs remain in Australia, whilst ensuring that our workers, the public and our unique environment are protected.

Should you require any additional information or clarification, please contact me direct on: (02) 9876-1411.

Yours sincerely



Richard Phillips
Executive Director