

29<sup>th</sup> November 2008

Department of Labour  
TE TARI HĀHI



## NOTICE OF INTENDED CHANGES TO WORKPLACE EXPOSURE STANDARDS

Prior to the publication of the third edition of the New Zealand Workplace Exposure Standards (WES), stakeholder consultation is sought in regard to proposed changes for some substances. This document summarises the objectives behind the proposed changes, refers to the status of the WES under the Hazardous Substances and New Organisms Act 1996 (HSNO), and explains the process for making submissions.

1. The proposed changes are listed in Table 1 overleaf.
2. Some of the WES have been revised in order to bring them more into line with current international best practice, notably, USA and the United Kingdom. As New Zealand does not have prevalent epidemiological studies of the working population, New Zealand's standards reflect international experience. The standards chosen for review are currently inconsistent with international comparators and require moderation.
3. Regardless of the WES, it is expected that employee exposure to hazardous substances will be controlled to a level as far below the WES as practicable by applying the hierarchy of control required by the Health and Safety in Employment Act 1992 (HSE).
4. Some WES set by the Department of Labour are now enforceable controls under HSNO legislation via the Hazardous Substances (Chemicals) Transfer Notice 2006. Therefore, all places of work that use approved hazardous substances must also comply with the HSNO Act as well as the HSE Act. The Department of Labour (DOL) enforces both laws and their associated regulations in the place of work.
5. DOL now seeks your views on the proposed changes. Submissions close at 5pm on 31st January 2009. No specific format for submissions is provided, however a letter or email outlining your submission is requested please.

### Submissions can be sent to:

Department of Labour  
Workplace Services  
PO Box 105 146  
Auckland  
New Zealand  
Attention: Philippa Gibson

### Or emailed to:

[philippa.gibson@dol.govt.nz](mailto:philippa.gibson@dol.govt.nz)

Table 1: Proposed changes to WES

Substance	Current WES	Proposed change
Benzene	5 ppm (8 hour TWA)	0.5 ppm (8 hour TWA) 2.5 ppm (STEL)
Lead (in whole blood)	Suspension level of = 3.2 µmol/L, or 3 consecutive monthly estimations of = 2.6 µmol/L	BEI of 1.5 µmol/L Suspension level of 2.4 µmol/L Return to work level of 1.93 µmol/L
Formaldehyde	1 ppm (Ceiling)	0.3 ppm (8 hour TWA) 0.6 ppm (STEL)
Methyl bromide	5 ppm (8 hour TWA)	1 ppm (8 hour TWA)
Crystalline silica	0.2 mg/m <sup>3</sup> for respirable quartz 0.1 mg/m <sup>3</sup> for respirable cristobalite	0.1 mg/m <sup>3</sup> for respirable quartz 0.1 mg/m <sup>3</sup> for respirable cristobalite
Synthetic vitreous fibres (currently listed <i>under synthetic</i> mineral fibres)	1 respirable fibre/mL 5 mg/m <sup>3</sup> inspirable dust (8 hour TWA's)	0.2 respirable fibre/mL (for refractory ceramic fibres) 1 respirable fibre/mL (for special purpose glass (micro) fibres) 1 respirable fibre/mL (all other SVF's)
Wood dust	1 mg/m <sup>3</sup> for certain hard wood dusts 5 mg/m <sup>3</sup> for soft wood dusts	1 mg/m <sup>3</sup> for hard wood dusts 1 mg/m <sup>3</sup> for soft wood dusts