

# TRANSCRIPT

## LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

### Inquiry into recycling and waste management

Melbourne—Friday, 3 May 2019

#### MEMBERS

Mr Cesar Melhem—Chair

Mr Clifford Hayes—Deputy Chair

Mr Bruce Atkinson

Ms Melina Bath

Mr Jeff Bourman

Mr David Limbrick

Mr Andy Meddick

Dr Samantha Ratnam

Ms Nina Taylor

Ms Sonja Terpstra

#### PARTICIPATING MEMBERS

Ms Georgie Crozier

Mr David Davis

**WITNESSES**

Mr Adam Dalrymple, Acting Deputy Chief Fire Officer, Metropolitan Fire Brigade; and

Mr Mark Carter, Acting Assistant Chief Fire Officer, and

Mr Tass Georgas, Manager and Senior Engineer, Metropolitan Fire Brigade.

**The CHAIR:** Well, thank you very much. My name is Cesar Melhem. I am the Chair of this committee. I declare open the Environment and Planning Standing Committee public hearing. Just a bit of housekeeping: all mobile phones should now be turned off or put on silent. I would extend a welcome to the public and to media present. The committee is hearing evidence today in relation to the inquiry into recycling and waste management, and the evidence is being recorded.

I want to welcome Mr Georgas, Mr Carter and Mr Dalrymple from the MFB. Thank you for coming in today. All evidence taken at this hearing is protected by parliamentary privilege, as provided by the Constitution Act 1975, and further subject to the provisions of the Legislative Council standing orders. Therefore the information you give today is protected by law. However, any comment repeated outside this hearing may not be protected.

Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament. All evidence is being recorded. You will be provided with a proof version of the transcript in the next few days. We have allowed, I think, time, and I will ask you this question: were you going to have a key speaker? We can just say 10 minutes, and then you can supplement that by a further 2 or 5 minutes each. And then, as you know, there is a large committee, so I would like to allow each member to ask at least one or two questions. So who wants to lead?

**Mr DALRYMPLE:** I will lead off. Thank you.

**The CHAIR:** All right, Mr Dalrymple. You can lead; 5 or 10 minutes, thank you.

**Mr DALRYMPLE:** Okay; thank you. Firstly, thanks for the opportunity to present at this inquiry, which from an MFB perspective is a pretty important issue. So basically we have obviously been requested to attend today relative to the issues that have come out of a number of recent fires due to toxic or illegal storage of a range of different chemicals. As you may or may not be aware, the MFB has a responsibility to provide for fire safety, fire suppression and fire prevention activities and emergency response services within the metropolitan fire district, or the metropolitan district. That district on its own is about 1000 square kilometres, and that is apart from the bay, which actually doubles that sort of response profile. We have a defined purpose to really deliver excellent fire rescue services across that particular area and right across the Victorian community in our partnerships with the Country Fire Authority and other response agencies also, and we will ensure that we maintain this capacity right across the metropolitan district 24 hours a day, every day of the week.

We respond really strategically to many sorts of changes in our operating environment, including challenges caused by the reason that we are here today, with the recycling and waste sorts of issues that are confronting the state at the moment and the toxic stockpiles. So these actual fires represent examples of what we would consider market failure and shortcomings as well as situations of blatant non-compliance of private industry. The effect of this has somewhat been transferred, or the risk has been transferred, across to the Metropolitan Fire Brigade, because we need to attend these premises, whether it is a fire-related issue or an incident or a chemical leak or some sort of protracted issue that we might be faced with, and that actually puts our firefighters at some sort of risk, so it is real concern to us. The other issue about that is that it becomes a significant cost burden to the state if this continues to happen. Our view is that a [inaudible] could be considered so that the community does not really bear the cost of our response to these particular issues in an environment that is probably more utopian, I suppose, if you wanted to look at it from that perspective.

We are members of the Resource Recovery Facilities Audit Taskforce. We have been members of that for some time, and actually we provide a whole range of what I would call expertise from a response perspective. We have a range of specialist people that work in our department, such as Tass, that provide advice relative to how storage

should take place. We actually publish documentation or guidance material for the wider industry that actually talks about how you should store particular products, I suppose, in a practical environment so that when they do catch fire or there is a protracted sort of incident we can actually make access safely and bring these incidents under control in a really timely and efficient manner. As you know, one of the reasons we are here today is that that is not really evident in some places, but I must say it is evident in a lot of places that the guidance material that we do provide, although it is not a legislative requirement, is something that we would consider should be considered when people set up businesses of this type because of the undue risk. The places that these products are stored in may actually overrun the fire safety systems within these particular buildings.

They were only designed to do a certain thing, and if you have excessive stockpiling, well, we know very well from experience that if you overrun the fire safety systems within these particular premises it makes our job a hell of a lot harder to do and makes these incidents become really protracted and costly to bring into effect.

When we do our particular work the most paramount thing that we need to look at is the health and safety of our firefighters when they respond. That is built into our legislation, and it is something that we take very, very seriously. That is actually brought across the whole broader spectrum, across Emergency Management Victoria. After the bushfires royal commission and the appointment of the fire services commissioner, who then became the emergency management commissioner, there are a whole range of statutory functions that apply to particularly fire service responders across the state. They talk about a number of things. The first thing is the primacy of life. And that is not only about the general public. It is about the people like us and the ambos and the police—first responders. That is a paramount thing.

The second thing that came out of that is that it is really, really important that the community know what is happening, so emergency warnings are second on the list. We have to provide accurate and timely information to the public so that they are aware of what is going on in and around their particular areas and the impacts of a particular incident at a particular point in time and so that we can relay that message across a whole range of areas that might be affected by a toxic plume or a smoke plume, for instance. The other things we need to do are look after critical infrastructure, protect residential properties and support the livelihood and economic production of the state. The final one there—although when we actually attend incidents these things happen not in a chronological order, but they are the things that we need to consider—is obviously the protection of the environment, which is part of the MFB act as well.

We talk about sites such as toxic stockpile fires and what may or may not happen. One of the specific challenges for the MFB is that we know that there are some licensed sites, and obviously there has been some identification of some illegal sites. These present significant challenges to us. If we know of a licensed site, we can actually pre-plan for an attendance there, and the pre-planning looks at what is stored, what is the fire equipment there, what is the access around the building, what is the availability of water for our aerial appliances and how many responders we might need there in the first instance. So we have a really strategic intent and a tactical response for that.

When we are confronted with other sites that we do not know anything about—there have been a number of those, it is one of the reasons why we are here, and there have been plenty of those in the news—that really challenges us. Although we provide the same sort of service to the community, it is not what we would like to think of being probably a little bit more instantaneous. It becomes prolonged and really challenging.

Again that takes me back to those priorities that I just spoke about. It is really, really critical that we are not putting our firefighters in danger. From a public's perspective—not that I am saying that the public is naive—our role is to always turn up, and we do that. We provide a service that no-one else can provide, and I think we do that fantastically well, but when we are challenged by such incidents as Campbellfield, for instance, the response planning that we would do for a site that we have prior knowledge of cannot be put into place for that particular site, and that alone creates probably some sort of fear in the public eye, because we have got huge smoke plumes billowing for days and days on end and they are saying, 'Well, what are you doing about it, fire service?'. Well, the thing that we are doing about it is protecting our people while we are trying to protect the public at the same time. It is a very, very dynamic situation, and it is something that our senior officers on scene have to take very, very seriously—that we are looking out for our people, looking out for the public and looking after the other issues that are relative, that satisfy what the state requirements are.

From our perspective we have put a lot of planning in place. We have done a hell of a lot of works post—pre, even—the Campbellfield fire. We have been doing this sort of work probably since Coolaroo a number of years ago, where we have changed our mode of operation to suit the changing dynamic or the changing environment that we are protecting. What we are doing is we are developing standard operating procedures, which are really a generic list of things that we should consider, and when we consider those, when we look at those, they provide us with a little bit of guidance, sort of initial guidance, on the way we should do things.

And then of course when it becomes really, really dynamic we have to change those and make the standard operating procedure fit the incident that we are actually attending.

So when we are moving forward, I suppose, from here—and I mentioned the other task force before and the great working relationship we have had with other agencies—the data would suggest that, when the task force was put together, the incidences sort of dropped a little bit, probably by about 20 per cent or something like that. That is probably because of a positive journey that the task force took about making themselves available and doing inspections of sites that are licensed or known about. When you have that interaction with these sites and you develop really good intervention strategies, that actually raises the awareness of what is right, what is wrong and what is indifferent. But we had noticed just in the last couple of months that there has been a little bit of a spike. I do not think that is to the detriment of the work that the task force is doing; I think it is just the nature of the environment that we are faced with at this particular point in time. I would just like to leave it there and let the others have a chat if they like.

**The CHAIR:** Thank you. Any further comment at this stage?

**Mr CARTER:** Thank you, ministers. I think I have been fortunate enough to have been in the hot seat as the agency representative on much of the working groups. One thing I have learned is that the issue of compliance with these licensed sites, if you were to charter it, it would be similar to a rollercoaster—one day they are compliant; the next day they are not. Our engagement with these sites prefire—or hopefully we do not have a fire—is really about what the site looks like at that particular point in time, what emergency management planning has been done, the nature of their fire protection systems and how that has been maintained. I think what we have learned across the board is that a higher level of engagement across the board with all the regulatory bodies that are involved in this place is something that we all want to work towards, and the lead-up to this fire was in an environment where we were really focused on a large amount of illegal sites. Some of the sites were offsite from the main, if you like, processing centre.

What I have learned also along this journey is, and this is in the context of a state challenge where we have limited facilities to process particularly class 3 flammable liquids, I heard some of the evidence before from the EPA. Part of their submission was that the whole Bradbury decision to stop them trading was brought to the committee, and we, I suppose, took some level of comfort out of that—that we had a site where we had had prior engagement. We knew they had emergency management plans—we had been there for several looks along that journey—and for us to be told in this committee structure that they were not compliant at this particular time and that things had been done in respect of their licence did not raise an overly important concern with us, given that we had another Bradbury site just down the road with 4 or 5 million litres. It helps to put it in the context of what we were dealing with in respect of the time.

**The CHAIR:** Thank you. I will kick off the first question, just to follow up on that. First of all, I want to thank you and your members for the great work you are doing in keeping our community safe. You are the first ones to respond, and we are equally appreciative of the role you play in keeping us safe. Now, the challenges MFB—and CFA—is facing in responding to these fires, and you have already talked about some of the issues you are facing, going forward, what would you like to see change to make life easier? For example, I did ask the EPA that question in relation to that facility. Mr Carter, you talked about how Bradbury got \$5 million next door and took out 5 million litres of hazardous waste. Should these sites be treated as hazardous waste? Because if you are attending to a fire, for example, at the Mobil refinery, you know what equipment to send. So what would be the MFB view in relation to, going forward, how we can address these 25 sites which actually hold the prescribed industrial waste to make life easier for your members and the community?

**Mr DALRYMPLE:** Yes, that would make it easier, but there is a bit of a challenge here. If we look at the way major hazardous facilities are licensed, the only input we really have into that is when we do a review of the safety cases every five years.

Part of that safety case review is looking at the appropriate levels of fire safety equipment for the risks or the total of the product that is held on site. For want of a better term, major hazard facilities are basically a self-regulated industry. They have pretty strict rules that they need to comply with, and they do so. We have just finished, I think, the 26th safety case review this year, and we have not found many real problems with the way that part of the industry is working. So when we compare that to your particular question, we sort of regard those as tier 2 sites, and tier 2 sites are looked after under the dangerous goods regulations. There are certain things that they have to comply with, and in most cases most people do comply. We provide written advice when requested to all manner of sites that store and handle dangerous goods. I suppose the real issue here—the real challenge for both fire services—is that the advice that we provide is high-level advice and it is relative to all manner of safety and fire safety issues, but the occupier only has to have regard for that advice.

**The CHAIR:** And that is what I am going to take you to, because you did say something about market failure. You talked about the risk of transfer to the fire services. What would you like to see change to address that problem? Because you are right—number 1, tier 1 is basically doing the right thing, and thankfully we are not going to have another Longford. Now the problem is transferred to tier 2 and 3. What would you like to see happening going forward?

**Mr DALRYMPLE:** Well, it is probably not in our bailiwick to talk about the legislative environment here, but I think the licensing arrangement that is in place needs to be enforceable and properly enforced right across the whole spectrum. I suppose the bigger problem here is the fact that a lot of the sites that have been identified are the illegal sites, and they are the ones that fly under the radar, which you alluded to earlier with the EPA, and they are really, really difficult for anybody to have some control over. Mark did allude to Bradbury's, for instance, where this fire actually happened. They were short-listed for a whole range of work in the recycling space and the disposal of flammable liquids, and they have site upon site upon site upon site. I suppose what did come out of that is that the visibility of where these particular premises were was probably really opaque—nobody knew where they were.

So ideally for the licensed people I think there probably needs to be a more stringent regime put across them, whether that is an EPA issue or a WorkCover issue—and normally a working site falls under WorkCover; the licensing arrangements are with EPA—and we can just provide that specialist advice. From an MFB perspective, we do not want to be in the—we have a whole range of approval mechanisms that we can work under, and for the main I think they work pretty well for us.

I just draw back to the issues that we are facing here with the recycling stuff, they are akin to what has been happening with the cladding. There is no real difference. We are probably in the same space here with the recycling as we are with the cladding. We are providing a whole lot of advice, specialist advice, to industry, whether it be to the building authority or EPA or WorkCover. The advice that we provide to them, I think, goes a long way for us to providing a safer outcome for our people.

**The CHAIR:** Thank you. In the interests of time, because we have got half an hour, I might start from my left and ask members to restrict themselves to one question each, and then we will come back—and short answers would be great—for questions on notice.

**Mr LIMBRICK:** We heard earlier from the EPA that they have this concept of 'cold zones' and 'hot zones', and they do their monitoring in the cold zones and they monitor for particulates, volatile organic compounds and gases. They said in the case of the Campbellfield fire—and I believe it was mostly solvents that were stored there, is that correct?—that in their cold zone monitoring there were no volatile organic compounds detected. Can you tell me what sort of monitoring is done, if any, within the hot zone, and therefore do we know what sort of compounds the firefighters and other people within the hot zone were potentially exposed to?

**Mr DALRYMPLE:** We do monitoring in the hot zone, and we have our own personal protective equipment that does that on an individual basis. So each firefighter will have their own what we call a QRAE—it is a device that measures volatile organic compounds. They will use that and that will alarm when the levels are quite

dangerous. But the levels that a firefighter is exposed to are quite in excess of what the normal member of the public will be exposed to—you need to appreciate that—because of the personal protective equipment and breathing apparatus that they wear. In the hot zone we have personal monitoring and we also provide area monitoring as well in the hot zone, and we also still provide that in the cold zone. Just as a point of difference, when EPA provide that monitoring, the legislation says they do not have to provide it within the first 24 hours. So we are providing the safe environment for our people and the community in the first 24 hours of any incident.

**Mr CARTER:** Could I just add too, what is being put in place by WorkSafe for the static sites, so these operating businesses—these are ones that have been discovered across the Epping-Campbellfield area—is in-built gas detection for lower explosive limits and the VOCs you were referring to as well. It is an early alert process for us. There is a process in place to initiate calls if we get spikes in it, but it is also a protection measure for the community as well.

**Mr LIMBRICK:** Just to clarify, you said that the EPA does not go in there in the first 24 hours. Do these organic compounds disperse within that time normally? Is that why they would not be detected?

**Mr DALRYMPLE:** No, that is just a response mechanism that they have. They do not have the same sort of response protocols as we do. Under the legislation they have to provide monitoring, and that is the way that they are set up to do it. There is monitoring going on within that first 24 hours anyway.

**Mr MEDDICK:** Just to clarify—I may have missed this in your opening statement; forgive me if I have—I previously raised the question with the EPA: how quickly are the onsite manifests available to you to determine what chemicals are actually stored on the site? I am not talking about the illegal sites here obviously; I am talking about the ones that are registered that are supposedly compliant.

**Mr CARTER:** It is part of the dangerous goods regulations that they provide that manifest as part of an emergency management plan in an emergency information container at the front entrance to the premises. So that is part of the regulatory requirements.

**Mr MEDDICK:** Leading into that then, would it be far more beneficial for you to have a database of every licensed premises so that immediately an emergency is notified to you even before scrambling the responders are aware of exactly what is on site and then presumably at what levels are being stored as well?

**Mr CARTER:** I think any of those ideas would be beneficial, but I would qualify that in saying, as I mentioned before, the issue of compliance is like a roller-coaster, so information stated on an emergency plan generated today may be different next week in respect to the manifests. So owner-occupiers—

**Mr MEDDICK:** I appreciate that. But the principle would be beneficial?

**Mr CARTER:** Absolutely.

**Ms BATH:** Thank you for your presentation today. I guess part of the issue is in relation to the unlicensed, so illegal, sites, and how you identify those. Whilst it is not your role to identify, I am sure having MFB personnel coming on site on whatever that site looks like has a presence, is an alert to people. People stand up and take notice and think, 'We better review things'. What sorts of, I guess, deliberations could you inform us about how you could see that role, so expanding in terms of increased personnel or increased education or the like?

**Mr CARTER:** First of all, it has been a huge challenge, and I think you have mentioned some of the key things there in respect of resources and having this as a high priority for the organisation—to have to essentially meet the demands of other regulators to be involved in joint agency activities. We certainly see the value in doing it. But the scope of what we initially thought was a process that really fell out of the licensed recycling waste management industry to now effectively go popping roller doors and changing the illegal sector has raised lots of concerns—where that intel has been sourced from. What we know is the Tottenham fire generated a whole bunch of intelligence that led to the discovery of the Epping and Campbellfield sites linked with organised crime. It is not an ideal situation that we want to be putting our people at the forefront of, but we need to be engaged so we can try and implement some controls on a risk in a scenario where it is very much uncontrolled.

Whilst the risk mitigation clean-up process takes months, if not years, the awareness and the preplanning that we can do once those risks have been identified all helps us, helps the safety of our firefighters and helps the community impact, because at the moment we are in a queue of people getting intelligence as it is coming through from various sources.

**Ms BATH:** Thank you.

**Mr DAVIS:** Mr Dalrymple, thank you for your evidence and thank you for the work you do on behalf of the Victorian community. One of the points that you made in your introductory statement was about toxic stockpiles and so forth. I am particularly troubled about a word that you said there, ‘excessive’ stockpiles. My question to you is a simple one: when did you or the organisation first become aware of these excessive stockpiles?

**Mr DALRYMPLE:** I think it was probably with SKM and the fire we had at SKM—the excessive stockpiling there. A lot of that was outdoor storage but it was still excessive stockpiling that happened on that particular site, and we were on site there fighting that fire for 11½ days.

**Mr DAVIS:** So there was no earlier indication to you or information to you that there were excessive stockpiles either there or indeed elsewhere around the system?

**Mr DALRYMPLE:** No, not really. This really did come to the fore after SKM, I do think. What has happened post that is that I think it has shifted. With the SKM stuff it is like hard rubbish and all those types of issues that we are dealing with and that is pretty much widespread, but the issue we are dealing with here with Campbellfield and that is the flammable liquids. You would appreciate, I suppose, the higher level of danger and higher level of fire propagation that does have when there is an actual incident, so I would say SKM is probably the first time.

**Mr DAVIS:** That is the very first time?

**Mr DALRYMPLE:** Probably the first major one.

**Mr DAVIS:** If there is an earlier date, I am happy for you to come back to us.

**Mr DALRYMPLE:** Yes, we could come back to you for sure.

**Mr DAVIS:** I would like to know that.

**Mr DALRYMPLE:** We have got tables.

**Mr DAVIS:** The second question is: what are the steps when a firefighter or a brigade or the organisation, perhaps a senior person, becomes aware of an excessive stockpile? What do you do? What steps do you take at that point?

**Mr DALRYMPLE:** Well, at that particular point in time—I will just go back to the health and safety of our responders and our crews. We actually put together a site-specific risk assessment on the site and we put a response plan in place for that particular site. These are quite hefty documents, but basically they look at site dimensions, site storage and all the access issues that I mentioned and I spoke about a little bit earlier. What happens is if we do get an alarm, a fire, at a particular premise we can actually pre-plan the way that we would tackle the incident.

**Mr DAVIS:** Do you speak to the EPA and say, ‘There’s an excessive stockpile here. You need to deal with that’. Is that what happens?

**Mr DALRYMPLE:** Yes. In the initial phases of some of the unlicensed sites that we have found there was a—

**Mr DAVIS:** Even the licensed sites, if I can be direct. If you find a licensed site that has got more on it than you think is safe, it seems to me the job of the MFB then is to deal with its own people of course but make an early announcement to the EPA to fix it.

**Mr DALRYMPLE:** We do a referral, no doubt.

**Mr DAVIS:** Do you have a list of those referrals?

**Mr DALRYMPLE:** Yes, we would have the list of those.

**Mr DAVIS:** Could you provide that, please?

**Mr DALRYMPLE:** Yes, no problem.

**Ms CROZIER:** Thank you, gentlemen, for your presentation and evidence this morning to this important inquiry. Mr Dalrymple, you in your opening statement spoke about the health and safety concerns of firefighters and obviously the broader community and your emergency management service personnel, which we are all very conscious of. I am wanting to understand a little bit more about the dangers to obviously the broader community and the firefighters, and I note in the United Firefighters Union's awareness campaign they have stated that, and I will just read this quote. They talk about:

... the serious health effects UFU members have suffered as a result of their attendance at these chemical blazes.

I am interested to know how many have suffered as a result. What are the health implications for those firefighters? The reason I ask this, and I think that would be very helpful for the committee to understand, is obviously they are going in with protective fire gear on and if they are suffering, as this campaign is saying—and this is in the public domain—what effects are the community having?

So I would like to understand what the health implications are and how many firefighters have been affected, and obviously I will be asking other questions to other witnesses around the broader community health impacts—so if you could provide that.

**Mr DALRYMPLE:** I could probably answer that and will probably have to take part of that question on notice, about numbers.

**Ms CROZIER:** That would be helpful.

**Mr DALRYMPLE:** We work closely with the United Firefighters Union about the health and safety of our firefighters; there is no doubt about that. I understand that they have got a campaign going now, and it is probably supportive of the presumptive legislation around cancers related to firefighting. There is a whole lot of data around that—

**Ms CROZIER:** I am aware of all of that. Obviously we have had an extensive debate here in the Parliament around this. What I am interested in is: what has happened with these fires and what the current health implications are for those firefighters—what are the issues and obviously the number of personnel that have been affected?

**Mr DALRYMPLE:** I will have to get back to you on the numbers, but the issues around these fires are probably no different to what we are being exposed to every other day, even from a residential house fire. The products of combustion are dangerous, they are toxic, and our firefighters are faced with them every day and we know that. The steps that we put in place relative to that are all about the site-specific risk assessments and the PPC that we provide our firefighters. That, I suppose, is the principle around eliminating the hazard for our people. I know that where they have been exposed to these issues over long, long periods of time they can have adverse health effects. We do have some data on that, and Mark has probably got a lot. He has been involved in some of this work here, so he might be able to just tap into this a little bit more.

**Ms CROZIER:** So if I could ask, Mr Carter, are you aware of the numbers that have been affected that have come with health implications from these ones?

**Mr CARTER:** No, but we would be happy to provide that in our written submission, and I want to qualify that by saying we have got an internal health and safety process called MFB Safe. What we are aware of is that a large number—and that has layers of confidentiality of course—of firefighters that attended the recent fire at Bradbury's lodged MFB Safe reports for a whole range of health issues. So we can provide more specific information about that.

**The CHAIR:** Thank you; I appreciate that. It will be important if you are able to do that with as much detail as possible. That would be great.

**Dr RATNAM:** I echo the sentiments and thank you both for your submission and the ongoing work you do to keep our community safe. In terms of what we are experiencing, both with the combustible recycling waste storage issue and the industrial and chemical waste storage issue—and we have teased that out a bit this morning in terms of whether the risks are the same in both types of storage, it sounds like, from the previous evidence we heard from the department and the EPA, there are a number of things that increase the risks. So if, for example, the material is not stored adequately, then your risk of fire goes up. If you increase the amount that you are storing, your risk of fire goes up, and if you have got more of it and you are storing it incorrectly, your risk of fire again goes up. I would say that the MFB in terms of responding to these fires is one of the only sets of eyes and ears really beyond the statutory authorities and the industry to see what is actually going on inside. Are you at liberty to talk about what you have all seen and what your members have seen in terms of is it the type of storage that is really causing the issue, or is it that the amounts being stored are increasing over the time that you have had to respond to these fires, since the first SKM fire, or is it that both are increasing—the amount and that it is not being stored adequately enough?

**Mr CARTER:** I think it is fair to say that probably one of the biggest issues is the volume of storage. Quite often, though, in buildings that are not fit for purpose—so that is when we have lost some sort of regulatory control in that space, so these are either industrial buildings that have been repurposed for recycling, so part of the recycling industry—

**Dr RATNAM:** So you think that has deteriorated in terms of the facilities?

**Mr CARTER:** Absolutely, yes, and I suppose in the size and nature of some of the facilities that have been set up there has been a bit of a shift to move the problem from the big sites that have a lot of close scrutiny to a lot more, maybe, co-joined smaller sites which have far less fire protection requirements, for example. So that has been a big challenge. Anecdotally one of the most severe fires we have had, which probably has not got as much attention, was earlier this year with an e-waste facility.

It created huge issues for our firefighters, where they literally had projectiles flying out of the building at them, which were NiCad batteries exploding. So that is an emerging issue in the industry where there are stories of e-waste. I know the EPA have got it under scrutiny now and some new regs are coming in in the middle of the year. The issue has morphed to become a huge beast now, I suppose, where primarily we were looking at the SKMs with the storage, and prior to that, to be honest, Visy, with paper and cardboard, was very much on our radar.

**Dr RATNAM:** Volume-wise?

**Mr CARTER:** Volume-wise, and to some extent they have been a good example to put up in the industry where self-regulation has resulted in them having far less fires due to some really good investment in fire protection. So it can be done, but it needs, I suppose, the incentives usually starting with the industry themselves and that overall governance from the regulators.

**Mr GEORGAS:** Dr Ratnam, what I would like to also add to Mr Carter's comment is that the built environment that this industry, the recycling industry, uses is a transient risk environment and the buildings that are being built have been purposed for other activities initially. It is very rare that these facilities are built on greenfield sites with every bell and whistle in respect of fire safety, and the ones that are do work in a performance-based built environment where they try to remove fire safety systems to meet a pure life safety goal. So in our organisation we support life safety, property protection and environmental protection. So there is a slight imbalance there in respect of who addresses property protection and environmental protection—and that is across the built environment.

Just to summarise what my issue is, we have buildings that are built for a purpose. They might be manufacturing; they might be storage of sporting materials; they might be storage of vehicles. Then we have stockpiling of different materials. The initial purpose had a mitigation measure established for it. A business falls out, they sell or they shift to a larger facility, or they downsize, and we have this new environment, this new business entity,

occupying the building. A lot of the risks associated with the risk management function—it is more prevalent with the non-identified, the non-licensed premises, where there is a perceived high safety risk.

**Dr RATNAM:** That is helpful. Thank you very much.

**Mr CARTER:** Can I just quickly add to that too. If we were talking about—because I heard it earlier—a major hazard facility, what would be on top of our list of considerations once we got out of our fire protection space would be buffer zones and what protection we are providing to the nearby environment. That is not considered in this space, and we think it should be.

**The CHAIR:** You are talking about fit for purpose. I mean, at the moment it is all over the place.

**Dr RATNAM:** That is right.

**Mr CARTER:** Absolutely, yes.

**Ms TAYLOR:** You were saying before about the fluctuating compliance and that I suppose is sort of inherent with what you are saying about the transient risk environment. I wondered—and it might be hard for you to speculate, but just on your observations—whether that fluctuation in compliance and putting some onus on the actual proprietors themselves, is it sloppiness, recklessness, is it ignorance, are they trying to save money? I am just trying to understand how anyone could take such terrible risks with their workers and so forth.

**Mr CARTER:** I think quite often it starts as maybe an intent to undercut the opposition. If I look at what I know about, say, Broderick Road, Lara, as a really good example, that scenario spiralled out of control, you know, which really started as trying to get a competitive edge, into, 'Oh, my machine's now broken. Now I'm stockpiling. Now I've got trouble processing the quantity coming in. All of a sudden I have a waste problem the size of the MCG'. Everyone knew about that site, but it was allowed over many years to sort of develop into something which was completely out of control. I think that is a pretty good analogy for what is happening out there.

There is a lot of shifting of the risk. You may be found to be non-compliant by the regulator. The easiest way to get into compliance is to go rent another factory down the road and move some of the risk. It has really only been happening that once they get found out then they feel compelled to tell you about that risk. How do you address that? I think the easiest way is that—it is almost like you have got to chase the money—you have got to track the chemical. And through better systems, run by EPA, for example, the movement of chemicals from a processing facility to a recycling facility to somewhere else needs a far higher level of scrutiny. At the moment we do not know where it is going. It is getting buried in landfill. It is getting put all over the place.

**The CHAIR:** And that is already about to be actioned in relation to electronic tracking of chemicals; that is about to commence?

**Mr CARTER:** That is right. That is right. Yes.

**Mr HAYES:** It seems like the volume of hazardous materials has increased rapidly lately. What is the main reason for that, if you could hazard a guess at the reason?

**Mr CARTER:** I do not really think it has increased dramatically lately. I think it has been increasing steadily for a long time and our awareness has improved. And just the fact that the EPA, MFB, CFA and WorkSafe are actually going out and proactively now knocking on doors, popping roller doors, that is not a practice that we were doing 12 months ago even. We would be invited to provide advice. We would have a five-year inspection cycle. WorkSafe had been doing something else over there. EPA would be something else over there.

Now we are in an environment where we are receiving intel. We find bad behaviour or bad performance in one place; that leads to tracking down some others. It is just a new era that we have entered into, but I think it has been going on for a long time.

**Mr HAYES:** The fires have sort of drawn attention to it too. So is there a preponderance of more of these smaller sites getting in on the action with, sort of, unsafe standards?

**Mr CARTER:** Yes, and I think we have seen it for some time in tyre recycling storage. Even if we think back to what happened up at Stawell, there was just a massive stockpile sitting there forever.

**Mr HAYES:** Yes.

**Mr CARTER:** But as I said earlier on, it is a lot easier to hide your quantity, whatever it may be, in a factoryette and get a number of them than it is to hide a massive 40 000 square metres. Yes.

**Mr HAYES:** And if I could just ask, in addition to that: if I had the power or this committee had the power, what mandatory or regulatory changes do you think would be absolutely essential from your point of view?

**Mr CARTER:** Why don't we take it on notice?

**The CHAIR:** You can take it on notice if you want.

**Mr DALRYMPLE:** We did talk a little bit before about the way—

**Mr HAYES:** I am sorry, I was late. I missed it.

**Mr DALRYMPLE:** No, that's fine—the way premises are licensed.

**Mr HAYES:** But the most important thing to you would be to do what?

**Mr DALRYMPLE:** Well, I think it is the licensing arrangement and enforcement of the licence. I think that is really, really important. And the appropriate authority for that is the EPA. And WorkCover would probably be the enforcement agency in some places where it is an operating environment. The licensing is one thing. Evidence suggests that you are told to have a licence of 150 000 litres, your emergency management plan says you have 450 000 litres, a fire starts and there is 900 000. There is a bit of a breakdown there.

**Mr HAYES:** So, do you think—sorry to repeat on this one—the standards are sufficient but they are just not being enforced?

**Mr DALRYMPLE:** Well, I think the standards probably are sufficient. And I suppose one real benefit would be that what has come out of the work that has been happening in the task force is that each individual agency is doing a fair bit of work and the connectedness is not really there. So MOUs are a way that we can do that, but I suppose if you look at it from a legislative or regulatory perspective, the sharing of information would be really, really relevant and probably a great outcome for us.

**Mr HAYES:** If I could ask one more brief question. We seem to be stockpiling and disposing of it, sort of. Is the problem that we are not really disposing of hazardous waste an issue too?

**Mr DALRYMPLE:** I think that is probably evident that we probably have not got the capacity to dispose of it properly anyway within the state. That is why we get the stockpiling. It is not just the flammable liquids. There is a whole range of other things that we find, and we alert them.

I was talking with Mark earlier this morning about airbags inside IBCs and IBCs full of class 3 liquids, and if you confront that, that is a whole other story about the dangers of responding. I did digress a little bit there, but the fact is I do not think the industry is coping very, very well with the amount of stockpiling that there is and I do not think the way we manage the way we look after these things is in place either. Mark would probably agree with that.

**Mr CARTER:** Just the fact that we have eight sites, Campbellfield and Epping, just logistics and the issues of dealing with trying to do the clean-up process and the fact that we started back in January and they are forecasting it is going to go through to September to process somewhere between 15 and 19 million litres in effectively what are factoryettes gives you a really good little snapshot of the issue. Part of the problem that the contractor has is that there is not the processing capability within the state to process any more than about 150 000 litres a week, so where do you take it? At the moment we are finding that the control measures to try and control an uncontrolled risk are basically just creating another controlled stockpile at this point in time.

**Mr HAYES:** And we do not have a waste disposal and recycling industry that is functioning, really.

**Mr DALRYMPLE:** I mean, there is an industry, but it is not able to cater to the volume.

**Mr HAYES:** It is small.

**Mr CARTER:** And it is based around what the intended use is for that product. For example, the class 3 flammable liquids, the majority of those are getting sent to Geocycle in Dandenong to fire kilns. That obviously has a capacity on how much of that they can do, so you have got to come up with a use for the recycled product. It is no different than sending your stuff overseas—you have got to come up with a use before you can start to reduce the stockpile.

**Mr HAYES:** Thank you.

**Ms CROZIER:** Just a clarification. I did not want you to go and get a whole lot of detail in relation to the question I asked, it was more specifically because I was concerned about the community impacts. But equally it is my understanding that the West Footscray factory fire was determined by the MFB to be suspicious and referred to police.

**Mr DALRYMPLE:** That is correct.

**Ms CROZIER:** I am just wondering whether you have got data, because that just seems even worse if it is deliberately lit and firefighters and the community have been put at these very serious health risks. Have you got data on the number of these fires that have been deemed to be suspicious, and do you have a view about whether there should be greater penalties around that sort of event?

**Mr DALRYMPLE:** We have data—no doubt we have data on every fire that we attend—leading to the second part of your question about the punitive part of it. I mean, we can probably take that on notice and come back to you about that.

**Ms CROZIER:** Thank you.

**The CHAIR:** One last question, really following on from that point. Has the cause of the fires been determined at all?

**Mr DALRYMPLE:** For?

**The CHAIR:** For Campbellfield.

**Mr DALRYMPLE:** It was accidental, that one. The evidence that we gathered from that particular fire was that it was an issue with a forklift operator coming into contact with an object and created a spark. So it was unfortunate, but that was the cause of that particular one—accidental.

**Mr CARTER:** I think what our data actually clearly shows is that you cannot stop fires occurring at these premises. Even since the formation of the task force we have got multiple fires. What we are trying to do through the work of the task force and the work with the regulators is to try and mitigate the severity and the duration of them. It does not always work, but it is about getting a better level of awareness so we can increase the level of safety for our firefighters. But these are notoriously difficult fires to stop once they get started.

**The CHAIR:** One last question: is the MFB appropriately resourced to tackle industrial and chemical waste fires such as those in West Footscray and Campbellfield? Have you got the proper equipment and resources to combat these fires?

**Mr DALRYMPLE:** We have. At any one time we have got over 300 firefighters on shift and we have got a range of specialist equipment and a range of technical expertise. Although we have had a spate of these fires—what we would call a spate—they are dealt with really, really quickly. Just the example of the Campbellfield fire, at the height of that particular fire we had something like 78 appliances, we call them, and over the duration of the three and a half days 387 staff attended that particular fire.

So I think we are well resourced. That is not to say that—

As part of the strategic planning of the MFB, you know, we look at the way that we resource appliances, and we go in with a minimum of three to four. We have a range of specialist equipment and we are ready to respond 24/7, but from a strategic location planning perspective we can always look at where stations are located, and that is all based on this profiling. So that is a never-ending sort of process and we undergo that all the time.

**The CHAIR:** We are running out of time, but I have two quick questions from Mr Meddick and Ms Bath, so we can make them quick questions and quick answers.

**Mr MEDDICK:** Thank you, and I will be brief. I raised this with the EPA as well and it comes back to the regulatory framework. I asked them the question, and I ask you as well, not just about the sharing of information between the different departments, say, EPA, local councils et cetera and yourselves and WorkSafe: would it be far more beneficial if an inspection regime were in place for the licensed premises—we remove the unlicensed, illegal operators from this of course—one where the inspection process is not where an individual department is going and doing the inspection and then reporting back and sharing information but where they are present at the same time and they are coordinated across departmental inspections so that if there is a breach, it is not then notified and there is a delay in the other department taking action but that can be set in place straightaway? Would that be beneficial in your opinion?

**Mr CARTER:** It would, but potentially there is another model when you consider that we are working on a five-year cycle; we do some referrals to WorkSafe, then you have got EPA on a schedule that we really do not have any vision on. If you were to take those three regulatory bodies and say, 'Mix up your five-year cycle so between the three of you, it almost becomes 18 months', you have far more frequent vision on that, and as long as your information sharing is sound, I think that is a better result.

**Mr MEDDICK:** This is the consensus I am looking for. Thank you.

**Ms BATH:** Thank you, Chair, for your indulgence. Gentlemen, you mentioned e-waste and that it is becoming a huge beast. We are also talking about stockpiling et cetera to an excessive degree. I am interested in personal protection equipment and clothing. This might be a take on notice to provide back. What sort of research are you doing to extend or further protect your members? I guess the other comment I would make, and we will talk to CFA out in country, but if you are doing some learning there, are you planning on sharing that information, because I am sure your equipment should be similar, on what sorts of equipment and protective clothing? Can that information be shared with the CFA, because we have those issues out in the country as well?

**Mr CARTER:** Absolutely, and it is a really good point, but I would hazard to say there is very little in the PPC space that will protect you against projectiles. We do not want to see our firefighters effectively wearing military-type equipment, so that remains a really big risk to me. There is constantly research getting done on the adequacy of PPC, and that will continue, but when you factor in the potential hazards associated with an e-waste battery fire, it is another level. We are engaged on a worldwide sort of network of research through AFAC and in association with people in the States like United Laboratories—there are a whole group of bodies always doing research—and certainly the issue of battery storage fires, with the growth in solar and e-waste, is really on the radar.

**The CHAIR:** Thank you very much. We appreciate your time. Again, a copy of the transcript will be sent to you. If you have any corrections, please send them to the secretary.

**Witnesses withdrew.**