

## **Flammable sellers actions effectively scuttle environmental legislation**

The sales spiel of the hydrocarbon pushers is now very clear. “Buy our refrigerant and you don’t have to go through that pesky and costly new national licence procedure.”

VASA has been notified of a number of cases around Australia where mostly larger companies, including many mining companies, facing costs of anything from \$200 to \$1000 per head to have technicians assessed, upskilled and licensed, may be tempted to close their eyes to the inherent dangers of using a flammable in a system not designed for it, for the sake of saving a few dollars.

But this is a double whammy against the Federal Government, because not only will it lead to some failure in its aim to have a more efficient and trained workforce handle environmentally damaging refrigerants, but those workshops which opt to use hydrocarbons will be happily venting existing R134a stocks into the air for years to come, knowing that they are unlikely to get caught.

Legally, every workshop or technician choosing to go the HC route, must engage a licensed technician to evacuate the refrigerant in all vehicles containing R134a as they arrive at their workshop. Industry experts are concerned that these people will not follow that advice, meaning that an unprecedented tonnage of greenhouse gas might be let loose in the atmosphere over Australia. It follows that major emissions of greenhouse gas will flow skywards over those major fleet locations which opt to take this course. Who is to know?

As this is written, sales forces are making formal presentations to workshop and fleet managers in mining companies and fleet workshops throughout Australia, and it is believed some have been swayed by the prospect that for no increase in refrigerant budget, they can avoid having technicians upskilled, assessed and licensed to handle the standard R134a refrigerant. Another sales pitch which influences the larger workshops is that the amount of refrigerant required can be cut substantially by using flammable refrigerant.

The risk factor is being downplayed.

In Queensland, where the ban on hydrocarbons has been very effective from the beginning, the Queensland Department of Natural Resources and Mines has recently issued its second and most urgent safety alert, urging that these refrigerants are NOT to be used in automotive applications, and recommending that any workshop servicing an interstate vehicle suspected of being charged with HC refrigerant, should shut down all sources of ignition in a three metre radius around the vehicle and under no circumstances use a flame unless the system is emptied and purged. The refrigerant must be replaced with non-flammable refrigerant.

All workshops and technicians are told to report any instances of this product being sold/used to a Petroleum and Gas Inspector. The warning says the Petroleum and Gas Inspectorate has been advised that attempts may be made to sell refined LPG for use in automotive air-conditioning in Queensland. “These refrigerants are normally sold in aerosol type cans and may contain the words “hydrocarbon refrigerant”, “propane” or “butane”. Some vehicles from interstate may be fitted with these refrigerants.”

But out in remote mines, the hydrocarbon pitch sounds plausible until experienced technicians and supervisors begin their risk assessments.

VASA was instrumental very recently in assisting a major Queensland mining operation which had received a submission from a hydrocarbon supplier. Fortunately for the risk assessment procedures in place at this mine, and with input from a concerned Queensland Chief Gas Inspector, what could have been a lethal decision was quickly aborted in favour of the non-flammable and approved R134a.

Where proper risk assessments have been undertaken, sub-contractor trucks are being ordered off the site when they are found to contain hydrocarbon refrigerant in their A/C systems.

One such company operates a huge workshop 900 metres underground, with scores of vehicles servicing the workers and heavy equipment.

It was into this scenario that the flammables salesmen wanted to inject their refrigerant.

Part of their sales pitch involved showing the former HC promoter Maclaine-cross doing his usual stunt of sitting in his car in which HC refrigerant has been leaked, and holding a lighted candle, without incident. As the world now knows, Maclaine-cross sent himself and three others to hospital after his last demonstration in 2001 went wrong and the car exploded.

At the Chief Industrial Magistrate’s Court hearing, where Maclaine-cross was convicted for breaches of the Dangerous Goods Act and the Occupational Health and Safety Act, Maclaine-cross said he had ceased all experiments. This movie, now freely available on the web, was not shown to the mining company managers – at least not by the HC salesman.

The company's risk assessment quickly showed that one small spark and the smallest HC leak in that underground environment could be a disaster of mammoth proportions.

VASA believes one of the biggest single issues is about employer's duty of care. Companies contemplating using HC refrigerant in any automotive situation, let alone in a workshop almost a kilometre underground, should make sure they inform their insurers and indeed the workers underground, that they are using a highly flammable substance in systems which were patently not designed for flammables.

Can anyone imagine an insurer signing off on such an action – MORESO WHEN THE USE OF THIS GAS IN QUEENSLAND FOR THIS PURPOSE IS TOTALLY AGAINST THE LAW?

Can anyone imagine a mining union shrugging its shoulders in resignation when told that all the vehicles underground are going to have their A/C systems charged with a potentially explosive substance in a system which was never designed for it?

So what motivates the hydrocarbon company involved to flout a very unambiguous state law on the use of dangerous goods and attempt to sell their product to a customer on the tenuous pretext of side-stepping a new Australian environmental law on the use of refrigerants which don't ignite if you throw a spark at them.

The move by the hydrocarbon lobby can easily be interpreted as thwarting the Australian government's environmental initiative to introduce better work practices and prevent the unlawful accidental or deliberate venting of synthetic fluorocarbon refrigerants into the atmosphere.

Because HC refrigerant is not a greenhouse gas, it does not fall within the new legislation and therefore no licence is required to handle it. However, a licence is required to service any air conditioning equipment that has been charged with a fluorocarbon refrigerant.

There are now stringent safety regulations in most states which effectively put the onus on the sellers and buyers of HC refrigerants to ensure that the gas is used safely and that everyone coming into contact with it is aware that it is a dangerous substance.

In the case of NSW's new WorkCover regulations, not only do the sellers have to produce authorisations that a dangerous substance is endorsed for use in any plant (in this case a car a/c), but the end-use customer has to be advised in writing and agree to having a flammable refrigerant put into their vehicle.

If that's not effective regulation, what is?