GOVERNMENT OF WESTERN AUSTRALIA

Department of **Local Government, Industry Regulation and Safety**

WorkSafe Western Australia

October is Safe Work Month

Safe work is for *life*

Webinar – Safe Work Month 2026

WES to WELs transition: What you need to know



Acknowledgement of Country

The Department of Local Government, Industry Regulation and Safety (LGIRS) respectfully acknowledges Aboriginal peoples as being the custodians of Western Australia.

We acknowledge the enduring connection Aboriginal people continue to share with the land, sea and sky through both their ancestral ties and custodianship to Country.

We pay our respect to Elders both past and present, and acknowledge the value brought to our department through the collective contribution of Aboriginal and Torres Strait Islander peoples across Western Australia.



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Paul Kelly



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#WES2WELS



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Introduction to WELs
Expectations and requirements for general industry

Alan Thain



WES to WELs

Year	Event	Year	Event
1990-1991	NOHSC 1003 / NOHSC 3008	**2018**	SWA issues updated WES list
1995	Australia adopts WES list	**2019**	WHS Ministers agree to WES review methodology and name WEL
2003	Last comprehensive WES review	**2020-2021**	Expert review conducted, 1,100 public submissions
2011-2012	WES written into R49 harmonised WHS legislation	**April 2024**	WHS Ministers agree to outcomes of review
2015-2018	SWA reviews WES framework	**1 December 2026**	National implementation date for WEL list

WHS duties – The Act

WHS Act	
Division 2 - Object	Protect workers from harm to health
Section 17	Eliminate or minimise risk, so far as reasonably practicable
Section 19	Primary duty of care

WHS duties – General regulations

WHS Regulation	
Part 3.1	Managing risks to health and safety
Regulation 34	Duty to identify hazards
Regulation 35	Managing risks to health and safety
Regulation 36	Hierarchy of controls

WHS duties – General regulations

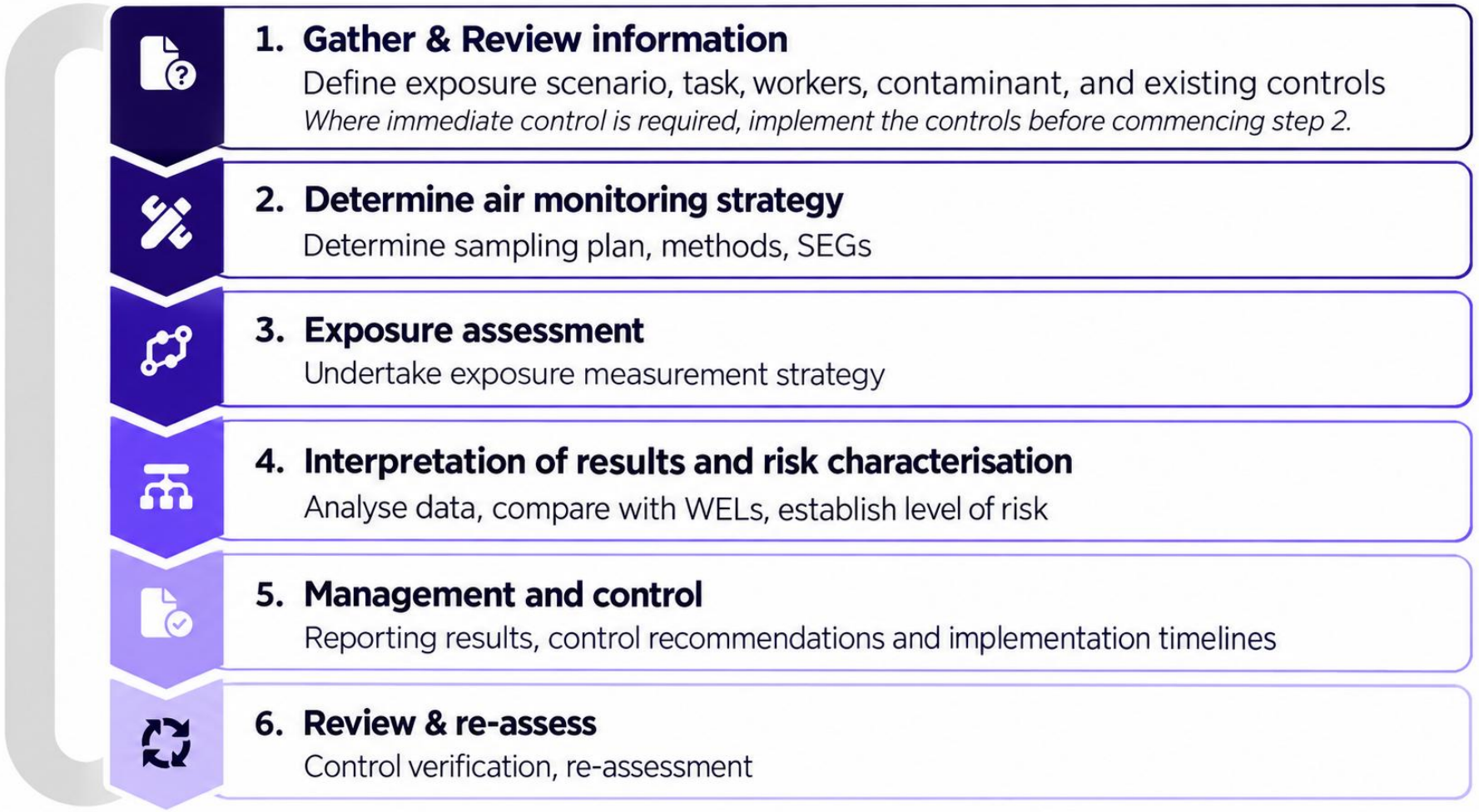
WHS Regulation	
Part 3.2, Division 7	Managing risks from airborne contaminants
Regulation 49	Ensure no person exposed above the WEL
Regulation 50	Conduct air monitoring

Expectations and requirements – general industry

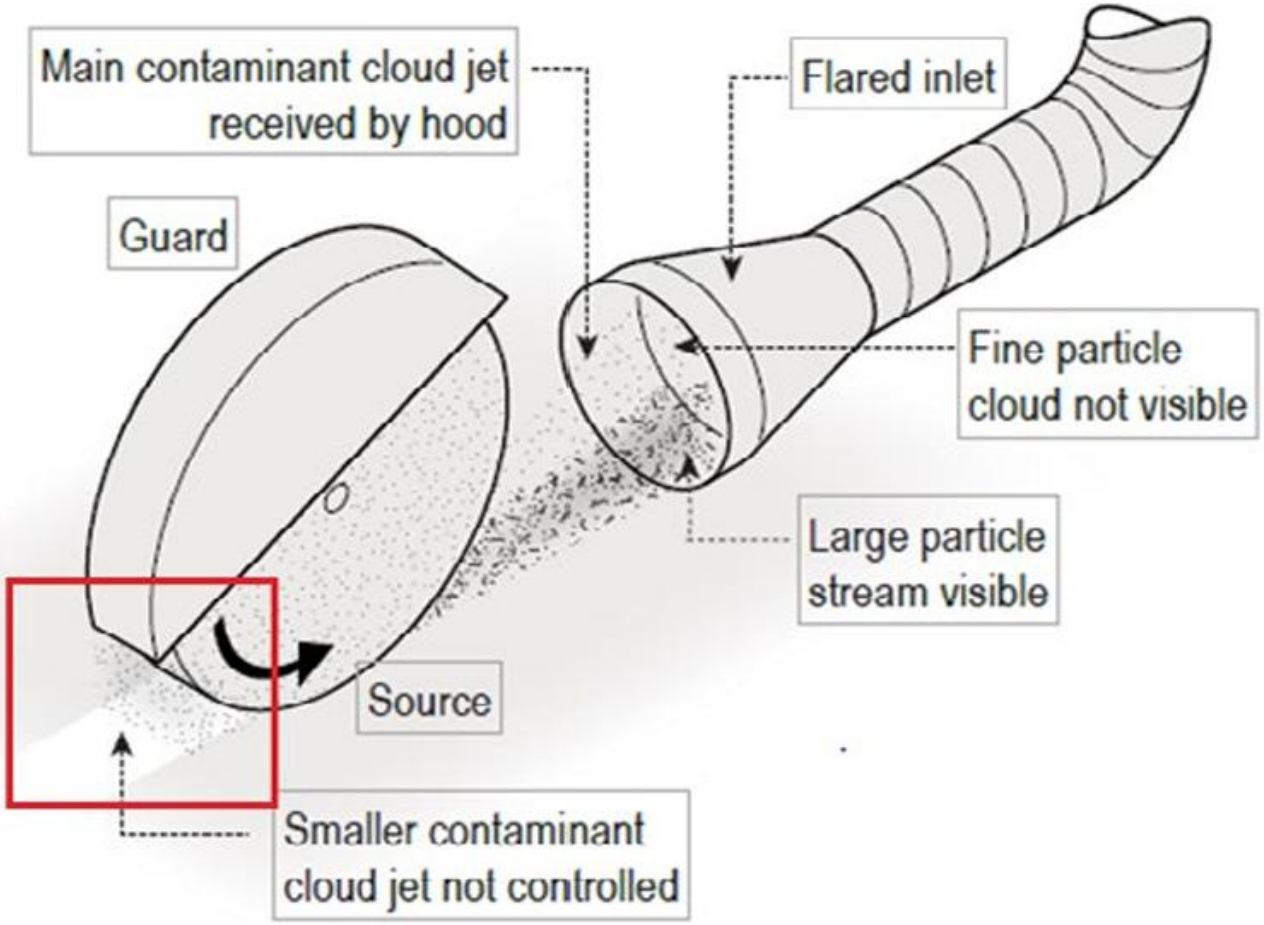
- What does exceedance look like?
- What does compliance look like?



Creating certainty about exposure levels – when to conduct air monitoring?



Hierarchy of control measures



Operational view of local exhaust ventilation

Administrative control

Work practice and procedures	Exposure time management
Safe work procedures for handling hazardous substance	Limit duration of work in a contaminated atmosphere
Procedure for changing filter on dust extraction	Job or task rotation to reduce individual exposure
Requirement to keep lids on solvent containers when not in use	Restrict access to areas when contaminant present

Respiratory protective equipment (RPE)



Reusable half-face respirator



Full face respirator (cartridge)



Full face Powered Air Purifying Respirator (PAPR)

Case study:
Welding fume WES reduction

- Welding fume reduced 5mg/m^3 to 1mg/m^3.
- **Scenario 1** – Adopt PAPR
- **Scenario 2** – Conduct air monitoring, adopt PAPR
- **Scenario 3** – review and revise controls, conduct air monitoring, adopt PAPR



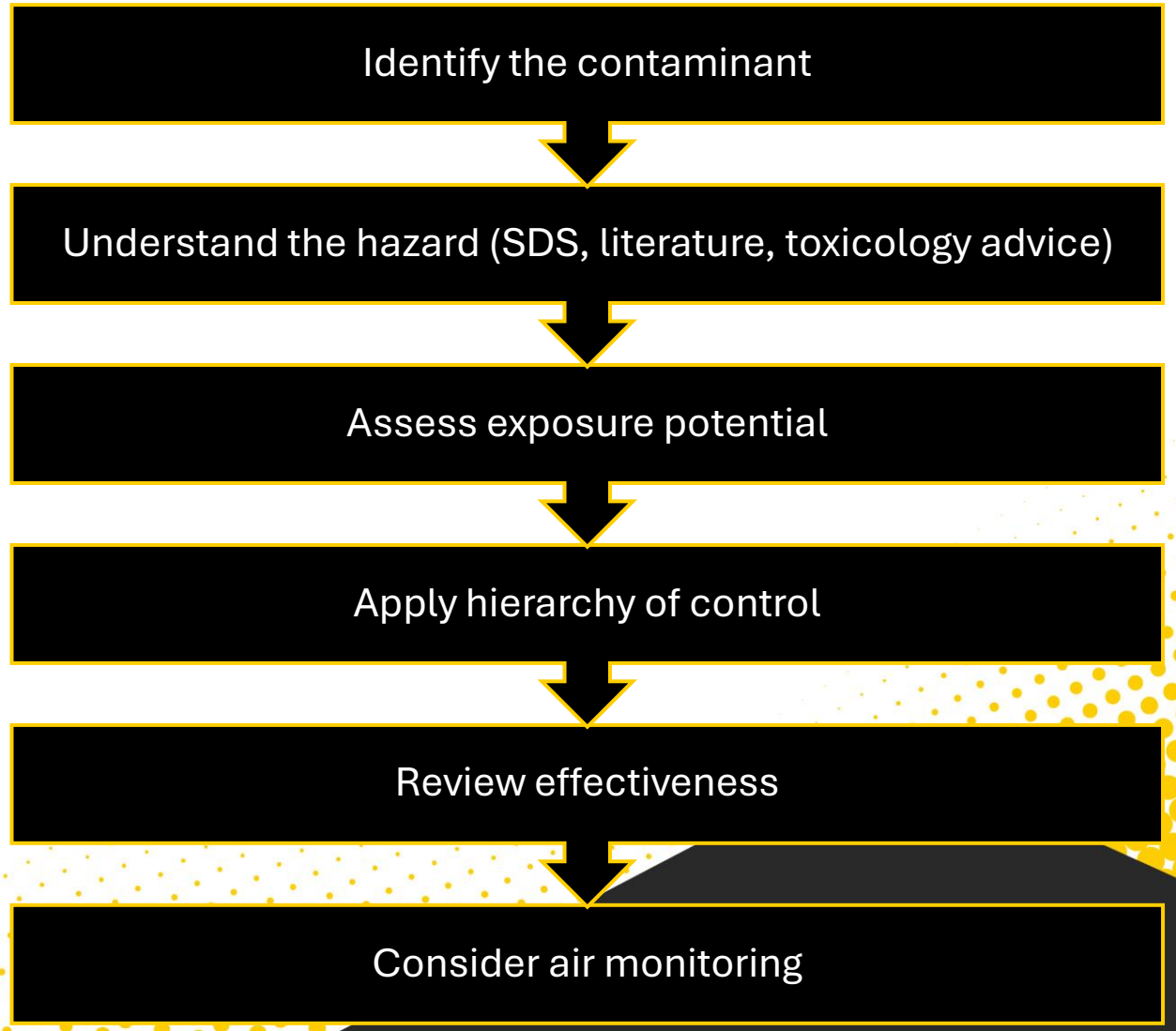
Health monitoring



What if there is no WEL?

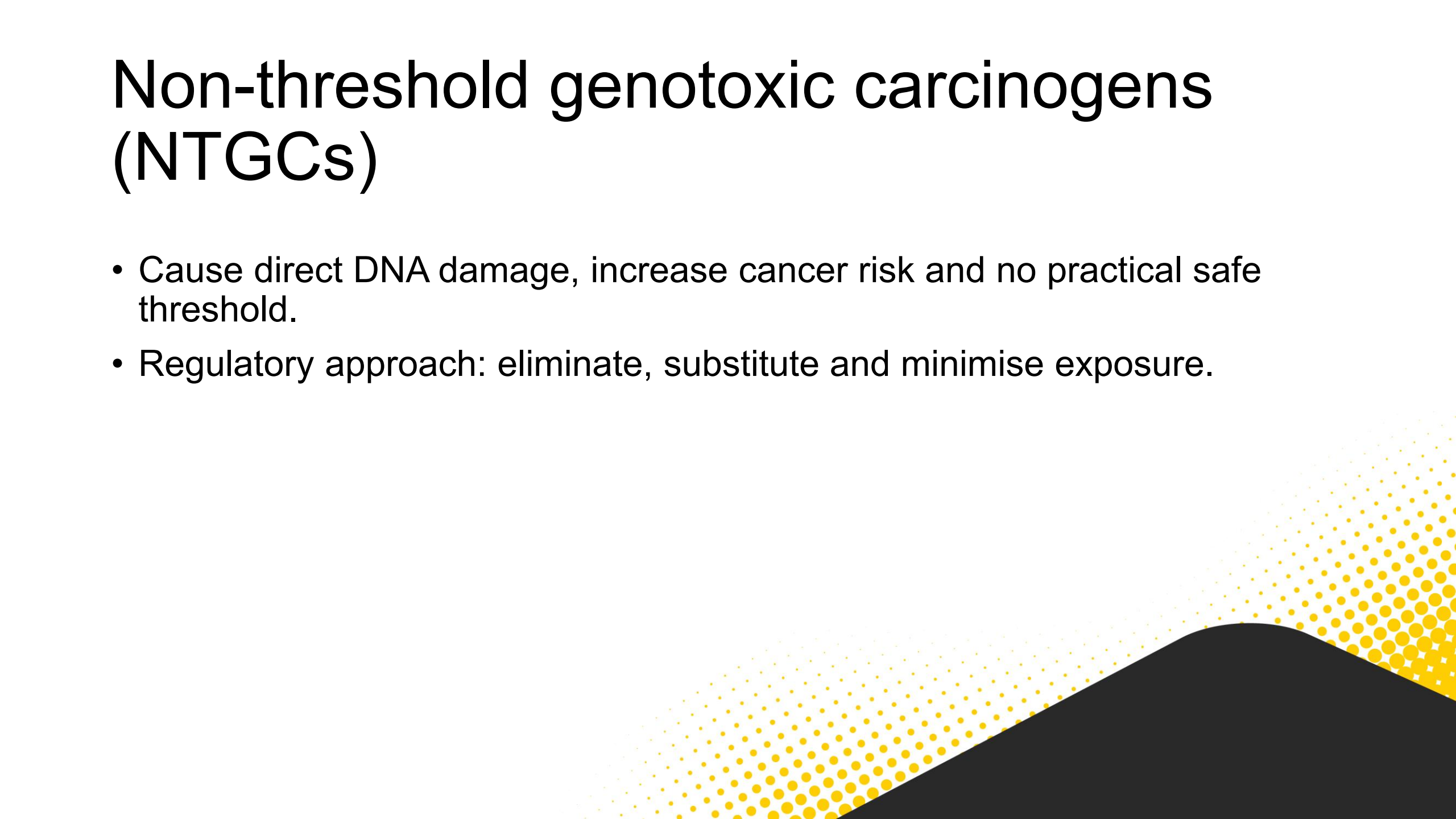
- If there is no WEL, focus on understanding the hazard and applying effective controls.
- The objective remains the same:

Eliminate risks or minimise exposure so far as is reasonably practicable.



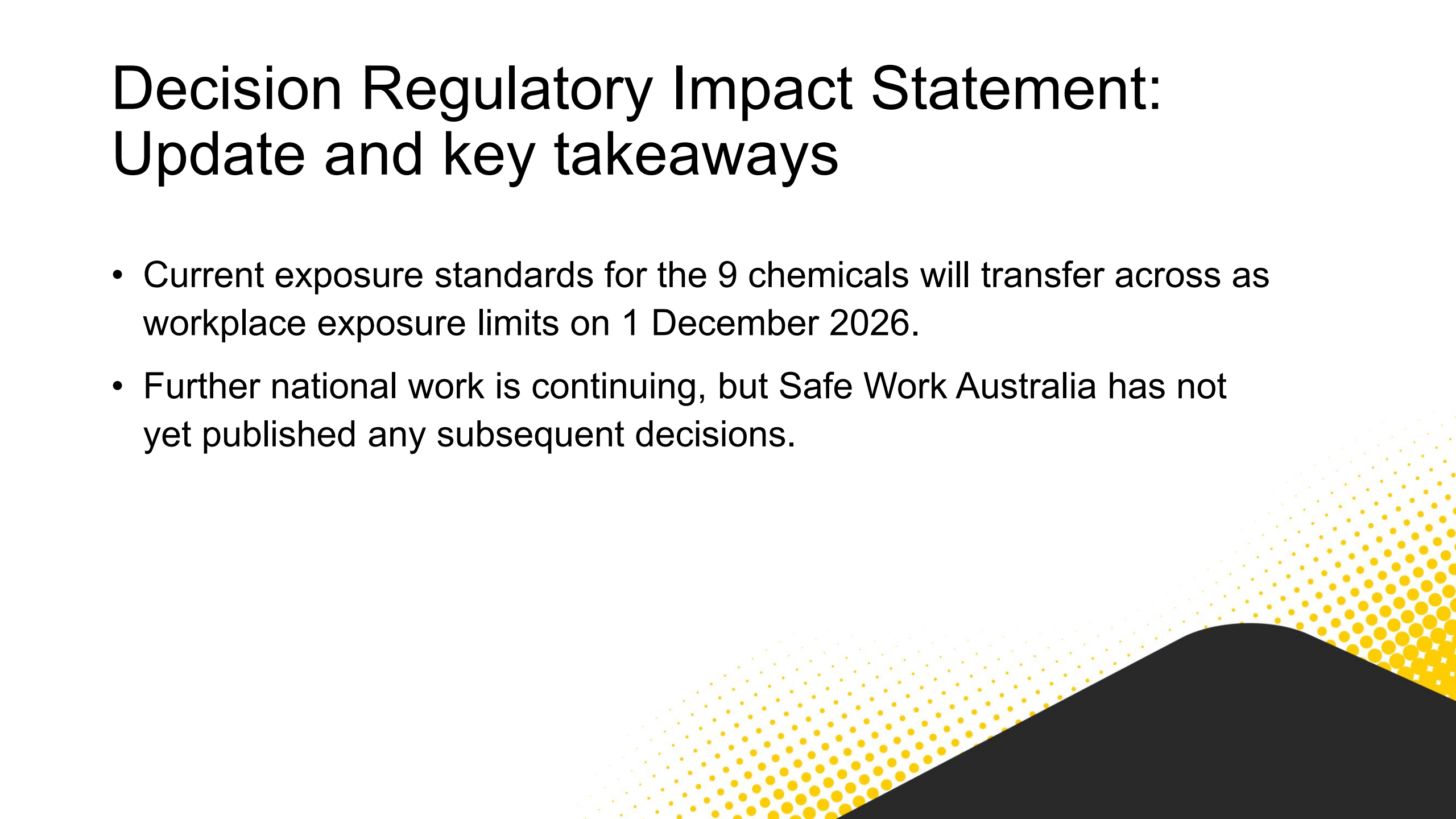
Non-threshold genotoxic carcinogens (NTGCs)

- Cause direct DNA damage, increase cancer risk and no practical safe threshold.
- Regulatory approach: eliminate, substitute and minimise exposure.



Decision Regulatory Impact Statement: Update and key takeaways

- Current exposure standards for the 9 chemicals will transfer across as workplace exposure limits on 1 December 2026.
- Further national work is continuing, but Safe Work Australia has not yet published any subsequent decisions.



LGIRS WorkSafe's approach to compliance

- From 1 December 2026, PCBUs must ensure exposures to airborne contaminants do not exceed the WEL
- PCBUs should be preparing for implementation of WELs
- For the majority of WELs, we will conduct inspections in accordance with our compliance and enforcement policy



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Jubin Koshy

Expectations and requirements – mining industry



- 106 agents in SRS (Safety Regulation System) commonly present at WA mines
- 64 have no changes
- 34 are lower, such as nickel, carbon monoxide, etc.
- 2 increased, these are methyl ethyl ketone and n-hexane
- 2 reclassified as non-threshold carcinogens
- Several agents have changes to TWA, STEL or Peak exposure limits

WHS duties – Mining regulations

r 34 Duty to identify hazards	Generally, no change but risk status may increase
r 35-37 Managing risk and controls	Older risk assessments may need to be reassessed and controls updated
r 39/R675A-D Information and training	Training material may need updating to reflect changed procedures
r 44-47 Personal protective equipment	Updated PPE requirements may apply
r 50 Monitoring contaminant levels	Sampling plan (are new people now included?) and methods may need updating (more sensitive analysis may be required) More sensitive analysis may mean additional cost and longer turnaround times

WHS duties – Mining regulations

r 654 Underground ventilation plan	Update may be required to control contaminants to lower levels
r 675EA Health management plan	Update required to include extra workers, improved controls, and additional compliance monitoring
r 675F Health monitoring	Update required to include extra workers captured by the “at risk of exposure” clause Suggest that the OHSA guide could be applied: • exceed action level more than 30 times a year or; • shows symptoms or; • a very large exposure or; • at recommendation of occupational physician

Key impacts for WA mines

Agent	WEL (1 December 2026)	What it means on site
Diesel particulate matter (DPM)	0.1 mg/m³ - no change	WA state impact study in progress; national 0.01 mg/m³ limit not yet adopted for WA mine sites.
Silica, crystalline (quartz)	0.05 mg/m³ - no change	One of 9 chemicals under national review
Chromium (VI) compounds	Non-threshold carcinogen	Reclassified - no exposure level is considered safe
PAH (polycyclic aromatic hydrocarbons)	Non-threshold carcinogen	Reclassified - no exposure level is considered safe
Manganese fume/dust/compounds	0.02 (respirable) / 0.1 (inhalable) mg/m³	Split in two: respirable down from 1 to 0.02; inhalable down from 1 to 0.1 mg/m³.
Sulphur dioxide (SO2)	0.25 ppm STEL only (TWA removed)	TWA of 2 ppm dropped entirely; STEL cut from 5 to 0.25 ppm — a 20-fold tightening on short-term exposure.

Action checklist before 1 December 2026

Step	Action
Identify	• Identify all airborne contaminants generated or used on site • Check each against the WEL list • Review existing sampling data
Assess	• Update risk assessment • Conduct air monitoring where required (submit via SRS) • Compare monitoring results to the new WEL where applicable
Control	• Apply the hierarchy of controls where non-compliance is found: elimination, substitution, engineering controls, administrative controls, PPE
Document	• Update health management plan • Review the sampling schedule • Update compliance records (e.g. RPE fit testing, health monitoring, training) Note: These documents may be requested by inspectors to determine compliance
Review	• Verify control effectiveness on an ongoing basis • Monitor LGIRS WorkSafe and Safe Work Australia websites for updated guidance

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