



**ROAD TRANSPORT FORUM NEW ZEALAND  
INC  
SUBMISSION  
ON  
IN CAB AIR QUALITY CONSULTATION**

Contact:

**Mark Ngatuere**  
Manager: Policy, Safety and Training  
Road Transport Forum NZ  
P O Box 1778  
Wellington

Ph: (04) 471 8285  
Fax: (04) 471 2649  
E-mail: [info@rtf.nz](mailto:info@rtf.nz)

**November 2020**

## **SUBMISSION BY RTFNZ TO WORKSAFE ON IN CAB AIR QUALITY**

---

### **1.0 Representation**

- 1.1 Road Transport Forum New Zealand (RTF) is made up of several regional trucking associations for which RTF provides unified national representation. RTF members include Road Transport Association NZ, National Road Carriers, and NZ Trucking Association. The affiliated representation of RTF is some 3,000 individual road transport companies which in turn operate 16-18,000 trucks involved in road freight transport, as well as companies that provide services allied to road freight transport.
- 1.2 The RTF is the peak body and authoritative voice of New Zealand's road freight transport industry which employs 32,868 people (2.0% of the workforce), and has a gross annual turnover in the order of \$6 billion.
- 1.3 According to Ministry of Transport's research (National Freight Demands Study 2018) road freight transport accounts for 93% of the total tonnes of freight moved in New Zealand.
- 1.4 RTF members are predominately involved in the operation of commercial freight transport services both urban and inter-regional. These services are based on the deployment of trucks both as single units for urban delivery and as multi-unit combinations that may have one or more trailers supporting rural or inter-regional transport.

### **2.0 Introduction**

- 2.1 WorkSafe NZ has provided a feedback form for submitters to respond on. We have chosen a written submission as it enables us to comment more easily on the discussion document's contents.
- 2.2 The feedback form asks:
  - What did you find useful about this guidance?

- Is there any key information missing from this guidance?
- Do you have any other general feedback?

2.3 The RTF welcomes the opportunity to contribute to any objective that will improve health and safety in the workplace and just as importantly, for members of the public. The RTF provides secretariat and associated services to the following groups:

- NZ Intermodal Transport Safety Group
- National Livestock Transport and Safety Group
- Petroleum Industry Transport Safety Forum
- Fuel Distributors Industry Safety Committee
- Log Transport Safety committee

2.4 In addition, the RTF advises industry generally on health and safety compliance and initiatives in the workplace. Each of the groups we work with strives to improve health and safety in each of their domains and each have engaged initiatives of their own to improve workplace safety. A number of the safety objectives they are attempting to achieve are being hindered, to varying degrees, by inadequate regulator support.

2.5 The RTF believes there are more serious safety issues facing industry that require immediate attention. That does not mean we do not think cab air quality requires industry attention. But other issues industry is confronted with have resulted in multiple spontaneous and instantly debilitating injuries. Remedies for those safety issues are simple to implement.

2.6 Three examples industry is confronted with that require immediate help to resolve are:

- issues with overhead tripod tanks;
- fuel on farm delivery; and

- meat processing plant safety.

These are all long-standing, serious issues that need regulator input to solve. The regulator's assistance has been tenuous and impetus is needed to advance these initiatives.

2.7 On 3 December 2018, WorkSafe convened a meeting with stakeholders to discuss Port safety. Subsequent meetings were held with great gusto and RTF and its members committed to the project. We have had no further updates and we suspect and fear the project has languished to the detriment of safety.

2.8 Against this backdrop, multiple other enterprises launched by WorkSafe sit. Two notable examples are:

- *Managing Worksite Traffic and Implementing the Health;* and
- *Safety at Work Act 2015: Better Regulation Plant, Structures and Working at Heights.*

These are noteworthy and worthwhile programmes. Behind the *managing worksite safety initiative* sits further research being conducted by Mackie research. All have the propensity to place more onus on truck drivers than principals/site controllers. The Mackie research project (as an example) is based on the premise, "identify solutions to reducing harm in and around vehicles that focus on risks that emanate from supply pressures". We do not hold much faith that businesses will be required to change the way they either view or accommodate transport operators when delivering or picking up goods. The Managing Worksite Traffic consultation is the same. If the regulator was truly serious about driver safety, they would address those councils and businesses that enable businesses to continue to operate without providing adequate parking facilities for truck drivers when delivering and picking up goods. In an ironic twist, the very councils that enable businesses to operate that way are also issuing parking infringements to transport operators for allegedly parking illegally while making pick-ups and deliveries.

2.9 The in cab air quality discussion document has a sense that WorkSafe are “feeling” their way through the topic. Regardless, it appears once more the onus of safety will be put transferred to transport operators and their staff rather than the entities responsible for controlling health and safety in their work places/sites.

### **3.0 Comment**

3.1 The document is described as a “quick guide” in its introduction. It is good that this sort of information is being developed and we believe the creation of a quick guide will benefit industry.

3.2 The quick guide quite obviously seeks to cover a range of sectors. We have chosen to comment only on road freight transport aspects. Notwithstanding that, we believe that by attempting to cover a range of sectors the quick guide loses some of its potential. It would be better to create a complete overarching document covering all aspects and sectors and then separate targeted guidelines to suit individual sectors.

3.3 It is pointless handing a truck driver or trucking company a guideline that covers loaders or fixed plant room<sup>1</sup>. The vice-versa applies.

3.4 The RTF also believes that while the quick guide is aimed at loader, drivers, and plant room operators, it is incumbent on site owners/operators to ensure contamination, dust, and debris are managed better and minimised for the benefit of all people entering their site.

3.5 For example: The code of practice for Air Quality in the Extractives Industry states<sup>2</sup>:

---

<sup>1</sup> Unless operating that equipment applies to their primary role

<sup>2</sup> Page 13. <https://worksafe.govt.nz/topic-and-industry/extractives/guidance-position-statements/air-quality-in-the-extractives-industry/>

*"The Mining Operations and Quarrying Operations (MOQO) regulations do not require alluvial mining or quarrying operations to have an air quality plan. However, WorkSafe recommends that alluvial mine and quarry operators produce, and implement, an air quality management plan based on the principal hazard management plans (PHMP) principles. The air quality plan identifies the risks presented by airborne dust and other contaminants at the mining or tunnelling operation, and the controls to manage them. It details the:*

- types of dust and contaminants in the air*
- amount and length of exposure*
- monitoring of air quality*
- control and suppression of dust and other contaminants*
- circumstances and requirements for its periodic review and revision*
- auditing programme.*

*The duty holder needs to produce the air quality plan in the context of the whole health and safety management system (HSMS) so that it relates to other principal hazard management plans (PHMPs), principal control plans (PCPs), or processes and procedures that rely on the air quality plan as a control. This helps to prevent gaps and identify overlaps in processes and information where it relates to air quality, or where air quality may impact other PHMPs and PCPs. The air quality plan must include the risk assessment for air quality. This provides the framework for initial and ongoing assessment of workers' exposure to airborne contaminants. See section 2 for more information"*

- 3.6 While we realise this is one sector of many that manage particulates and other contaminants that could be harmful, it is incongruous that the regulator does not insist those mining sectors have an air quality plan, although visitors to their sites may be negatively impacted by that lack of planning. The guide suggests trucking companies will be forced to compensate for that.

- 3.7 Undoubtedly, the site PCBU while not required to have a plan, will have to follow WorkSafe's recommendations to produce, and implement, an air quality management plan based on the PHMP. However, "recommend" is quite different to "require" and we are sure site operators not mandated to have plans, or similar tools to ensure air quality is ensured, will push the boundaries. The difficulty for WorkSafe will be monitoring those sites' performance.
- 3.8 The quick guide is principally aimed at site visitors. We suspect parts of the guide have been lifted from national and international sector-based literature. There is nothing wrong with that and we should seek best solutions or ideas from across the globe, or other sectors, rather than re-invent the wheel.
- 3.9 We believe the draft guide is too prescriptive in some sections and so generic in other sections that PCBUs will struggle to understand how to appropriately apply hazard/risk methodology to possible air contamination risk. For example, if the guide refers to the hazard and risk methodology that would be sufficient to determine whether air quality, exposure and health monitoring was required. The risk assessment would support the identification of appropriate plant and equipment types, operational process improvements, or consideration for safety and design, which could feed into procurement procedures if appropriate.
- 3.10 The use of cab graphics could be perceived as indicating a mandatory requirement for filtration, heating, ventilation and air conditioning, which may not be reasonably practicable, required, or applicable for all industries. If the intention is to make these types of filtration mandatory across the road freight industry (albeit a guide), RTF does not support that. New Zealand truck owners are technology takers. Trucks and cabs are not designed or constructed in New Zealand. Therefore, transport operators procuring equipment rely on manufacturers and suppliers to ensure their equipment meets relevant standards.

- 3.11 Any uptake of new or “different” designs or filtration equipment for trucks should be incorporated into existing cab construction rather than expecting transport operators to modify equipment to suit. Tampering with Original Equipment Manufacturer designs non-compliant with the standards they were designed and constructed to.
- 3.12 The guide recommends air testing and exposure monitoring. It even goes so far as to list suitably qualified, trained and experienced health and safety professionals to help make that judgement. That is concerning as the road freight transport industry has a demonstrated history of cottage industries springing up in response to regulatory change. It will be no different for air quality measuring. The slight difference from other examples being that air quality measuring devices are not being marketed to a wide extent in New Zealand, and air quality standards for the road freight transport industry are to the best of our knowledge, non-existent. That forces transport operators into a captive market with cost-gouging probability.
- 3.13 Standards should be provided in the guide and transport operators should be given the opportunity to measure their own air quality rather than defaulting to “professional” intervention.
- 3.14 There is some great guidance in the document, but we ask that the developers think of the industry as a whole when writing the final documentation to ensure it does not exceed practicable steps, and provides clarity to reduce risk for those in the industry that do not have air quality issues in their current operations, or plant designs/standards. For example, there may be operational task changes that can be made to eliminate contaminants such as, site owners developing plans as a requirement. It should not be that the cab design must meet the technical requirements in this guidance in all cases, that is indeed what it is referring to.
- 3.15 If guidelines are created for specific sectors we believe there should be more detail included regarding NO<sub>x</sub>, CO, and other types of contamination. There is a raft of material available to help driver awareness around diesel exhaust

and associated vapours<sup>3</sup>. We are sure companies that have trucks working in confined or enclosed space, or en masse (tailing in queues at ports for example), will have operating procedures, or similar, to provide guidance to truck drivers. However, it can only be helpful to provide similar messaging within the guidelines.

## **4.0 Conclusion**

- 4.1 It is right to attempt to improve all aspects of health and safety at work.
- 4.2 It is right to develop guidelines to attempt to educate, change behaviour and improve work site/place air quality.
- 4.3 It is not right that site operators are not required to have an air quality plan.
- 4.4 Nor is it right that site visitors be required to compensate for that lack of planning.
- 4.5 It is also not right to expect transport operators to upgrade their equipment outside of manufacturers specifications, recommendations or the standards the equipment originally complied with.
- 4.6 Air quality standards should be mentioned in the guide and advice should be provided how to measure that, rather than specifying third-party intervention.
- 4.7 The concept of an in-cab air quality guide offers considerable benefit. However, in its current format the guide is too encompassing. An overarching document should be developed and from that, further quick

---

<sup>3</sup> A couple of examples - in no way is this a suggestion these be used, they are referenced as examples only:  
<https://www.trucknews.com/features/breathing-dangerous-diesel-fumes/>  
<https://www.overdriveonline.com/lethal-diesel/>  
<https://www.nrdc.org/sites/default/files/driving.pdf>

guides suited to and targeted at individual sectors or industries should be developed.