

HOSPITAL WASTE — STERIHEALTH — CONTRACT BREACH

1184. Hon ROBIN CHAPPLE to the minister representing the Minister for Health:

I refer to the articles in Saturday's *The West Australian* and Sunday's *The Sunday Times* respectively entitled "Waste to stay in WA" and "Workers face toxic risk".

- (1) What were the conditions established in the SteriHealth contract for the transport and disposal of hospital waste?
- (2) How much waste by volume does SteriHealth handle under that contract?
- (3) What was the volume, nature and quantity of the waste that was being transported to Victoria?
- (4) When did the minister and his department become aware of the breach of contract?
- (5) In answer to (4), if the dates are different, why?
- (6) How did this breach of contract occur and will SteriHealth be prosecuted?
- (7) Does any of the material transhipped include the "Collection and Destruction of Confidential Material" under the federal "Confidentiality in Departmental and Agency Procurement Contracts"?

Hon SIMON O'BRIEN replied:

I thank the honourable member for some notice of the question, to which I provide this answer —

- (1) The contract stipulates, according to the written answer, that —

All wastes collected in the provision of this service shall be disposed of, without exception, by high temperature incineration at a WA Government approved facility, licensed for the incineration of clinical wastes. No other means of disposal shall be used by the Contractor without the written consent of the Department of Health.

Transportation of wastes from the premises under the administration and/or control of the Department of Health shall be in accordance with any statutory and regulatory requirements that shall exist and shall be the responsibility of the Contractor.

LICENSING OR STATUTORY APPROVAL REQUIREMENTS

The Respondent must provide evidence that they have the appropriate licences required for the collection, handling and transport of clinical waste, and access to a waste disposal facility with an appropriate licence for the disposal of clinical wastes.
- (2) The contract stipulates an average number of 1 087 collections of containers ranging from 1.5 litres to 23.5 litres a month.
- (3) The company was transporting waste to Victoria for approximately six months. A report, including container sizes, can be provided in the next 48 hours. The nature of the waste was sharps.
- (4) The Department of Health was notified on 8 September 2009; the Minister for Health was notified on 13 November 2009.
- (5) The Department of Health was dealing with the potential breach appropriately. It was considered that there was no prior need to escalate the matter to the Minister for Health.
- (6) The breach occurred as a result of increased costs to SteriHealth to dispose of sharps waste in the Western Australia licensed incinerator. SteriHealth made alternative arrangements to dispose of sharps waste in Victoria. The non-disposal in Victoria was a breach of contract; however, SteriHealth held appropriate licences to transport waste from WA to Victoria and to dispose of waste in Victoria. Advice provided indicates that SteriHealth, which held the appropriate licences, did not contravene any laws by transporting waste to Victoria; and, as such, it will not be prosecuted.
- (7) No confidential material is disposed of by SteriHealth.