
UNIVERSITI SAINS MALAYSIA

Second Semester Examination
2009/2010 Academic Session

April/May 2010

**IEK 215 – ENVIRONMENTAL, SAFETY AND HEALTH
LEGISLATION**
**[PERUNDANGAN PERSEKITARAN, KESELAMATAN DAN
KESIHATAN]**
Duration: 3 hours
Masa: [3 jam]

Please check that this examination paper consists of SEVEN pages of printed material before you begin the examination.

[Sila pastikan bahawa kertas peperiksaan ini mengandungi TUJUH muka surat yang bercetak sebelum anda memulakan peperiksaan ini.]

Instructions: Answer FIVE (5) questions. You may answer the questions either in Bahasa Malaysia or in English.

[Arahan: Jawab LIMA (5) soalan. Anda dibenarkan menjawab soalan sama ada dalam Bahasa Malaysia atau Bahasa Inggeris.]

In the event of any discrepancies, the English version shall be used.

[Sekiranya terdapat sebarang percanggahan pada soalan peperiksaan, versi Bahasa Inggeris hendaklah diguna pakai.]

1. (a) Explain the factors taken into consideration in formulating the Environmental Quality Act 1974 (EQA 1974) ?

(10 marks)

- (b) Discuss the objectives of Environmental Quality Act 1974 (EQA 1974).

(10 marks)

2. (a) Explain four conditions in which Malaysian Environmental legislation cannot be enforced?

(10 marks)

- (b) (i) Explain why 'cradle-to-grave' concept is being applied in Environmental Quality (Scheduled Wastes) Regulations 2005?

(7 marks)

- (ii) Define scheduled wastes.

(3 marks)

3. Regulation 9(1)(a) of Environmental Quality (Industrial Effluent) Regulations 2009 stated that:

“An owner or occupier of a premises shall:

conduct **performance monitoring** of the components of the effluent treatment system in the manner as specified in the **Guidance Document** on Performance Monitoring of Industrial Effluent Treatment Systems issued by Department of Environment; and....”

- (a) Discuss the benefit of Performance Monitoring.
(b) Explain what is the purpose of Guidance Document.

(20 marks)

4. Below is a Malay newspaper article dated 22 December 2009.

Man dies trapped in blending machine

Puchong - An Indonesian worker dies after falling into a blending machine for animal feed at a factory in Bukit Puchong here yesterday. In the accident which occurred at 3 in the afternoon, the 42 year old victim's body was trapped in the machine. A spokesman for the police said at the time of accident the victim was operating the machine alone in the factory producing animal feed. "The incident was noticed by the victim's friend who found that the victim was not at the site before finding him trapped in the blender with head injuries." According to him, the victim's body was sent to the Selayang Hospital for post mortem and it is a non-criminal-related case. It was understood that the machine was inoperative because it had broken down. The Chief of Police of the Subang Jaya District, Assistant Commissioner Zainal Rashid Abu Bakar confirm the incident.

With the help of a diagram and the Occupational Safety and Health Act 1994, explain in detail the process of the accident investigation, including the duties of the employer, Safety and Health Officer and Safety and Health Committee.

(20 marks)

5. For each of the cases below, your answer must be based on the Occupational Safety and Health Act 1994.

- (a) An employee working in a lab complains of shortness of breath. However the employer dismisses the complaint. What are the related legislations and regulations?

- (b) An explosion happens due to wrongful mixture of chemicals in a lab of a factory which caused two employees to be hurt. Investigations showed that the employees did not know the proper procedure in mixing the chemicals. How can this be avoided?

(20 marks)

6. For each of the cases below, your answer must be based on the Occupational Safety and Health Act 1994.
- (a) A random check on a construction site by DOSH found the absence of a Safety and Health Officer. The employer was fined because of this. What is the employer supposed to do to avoid this?
 - (b) A fire breaks out in a factory and 5 employees were trapped inside and died. Investigations showed that the employees were not able to find their way out of the premise. What needs to be done to avoid this?

(20 marks)

1. (a) Terangkan apakah faktor-faktor yang diambil kira dalam penggubalan Akta Kualiti Alam Sekeliling 1974 (AKAS 1974)?

(10 markah)

- (b) Bincangkan objektif-objektif Akta Kualiti Alam Sekeliling 1974 (AKAS 1974).

(10 markah)

2. (a) Jelaskan empat keadaan di mana Perundangan Persekitaran Malaysia tidak boleh dikuatkuasakan ?

(10 markah)

- (b) (i) Jelaskan kenapa konsep 'cradle-to-grave' diguna dalam Peraturan-peraturan Kualiti Alam Sekeliling (Buangan Terjadual) 2005?

(7 markah)

- (ii) Takrifkan buangan terjadual.

(3 markah)

3. Peraturan 9(1)(a) Peraturan-peraturan Kualiti Alam Sekeliling (Efluen Perindustrian) 2009 menyatakan :

“Seseorang pemunya atau penghuni sesuatu premis hendaklah :

menjalankan **pemantauan prestasi** semua komponen sistem pengolahan efluen perindustrian mengikut cara sebagaimana yang dinyatakan dalam **Dokumen Panduan** Mengenai Pemantauan Prestasi Sistem Pengolahan Efluen Perindustrian yang dikeluarkan oleh Jabatan Alam Sekitar, dan...”

- (a) Bincangkan faedah Pemantauan Prestasi.

- (b) Jelaskan matlamat Dokumen Panduan.

(20 markah)

4. Berikut adalah keratan akhbar Bahasa Malaysia bertarikh 22 Disember 2009.

Lelaki mati tersepit dalam mesin pengisar

Puchong - Seorang pekerja warga Indonesia maut selepas terjatuh ke dalam mesin pengisar makanan haiwan di sebuah kilang di Bukit Puchong di sini semalam. Dalam kejadian pada pukul 3 petang, badan mangsa yang berusia 42 tahun itu tersepit ke dalam mesin pengisar tersebut. Jurucakap polis berkata, ketika kejadian mangsa sedang mengendalikan mesin tersebut seorang diri di kilang pengeluaran makanan haiwan. "Kejadian tersebut disedari oleh rakan mangsa yang melihat mangsa tiada di tempat kejadian sebelum nampak mangsa tersepit di dalam mesin pengisar dengan kepalanya cedera," kata beliau. Menurut beliau, mayat mangsa dihantar ke Hospital Selayang untuk bedah siasat dan kes tersebut tiada kaitan jenayah. Difahamkan, mesin tersebut sudah tidak digunakan kerana mengalami kerosakan. Ketua Polis Daerah Subang Jaya, Asisten Komisioner Zainal Rashid Abu Bakar mengesahkan kejadian tersebut.

Dengan bantuan gambarajah dan Akta Keselamatan dan Kesihatan Pekerjaan 1994, terangkan dengan terperinci proses penyiasatan kemalangan, termasuk tanggungjawab majikan, Pegawai Keselamatan dan Kesihatan dan Jawatankuasa Keselamatan dan Kesihatan.

(20 markah)

5. Bagi setiap kes dibawah, jawapan anda mestilah berasaskan Akta Keselamatan dan Kesihatan Pekerjaan 1994.

- (a) *Seorang pekerja yang bekerja di dalam sebuah makmal mengadu sesak nafas. Akan tetapi pihak majikan tidak menghiraukan aduan tersebut. Apakah perundangan dan peraturan yang berkaitan?*
- (b) *Suatu letupan berlaku akibat salah campuran bahan kimia dalam sebuah makmal di kilang yang menyebabkan dua orang pekerja cedera. Siasatan menunjukkan pekerja-pekerja tersebut tidak tahu cara yang betul untuk mencampurkan bahan kimia tersebut. Bagaimanakah situasi ini dapat dielakkan?*

(20 markah)

6. *Bagi setiap kes dibawah, jawapan anda mestilah berasaskan Akta Keselamatan dan Kesihatan Pekerjaan 1994.*
- (a) *Suatu pemeriksaan di tapak pembinaan oleh pihak JKKP mendapati ketiadaan seorang Pegawai Keselamatan dan Kesihatan Pekerjaan. Majikan telah dikompaun akibat daripada kesalahan ini. Apakah yang perlu dilakukan oleh pihak majikan untuk mengelakkan hal ini dari berlaku?*
 - (b) *Satu kebakaran berlaku di sebuah kilang dan 5 orang pekerja terperangkap di dalam dan mati. Siasatan menunjukkan bahawa pekerja tidak dapat mencari jalan keluar dari premis tersebut. Apa yang perlu dilakukan untuk mengelakkan hal ini dari berlaku?*

(20 markah)