

STOP!

ASBESTOS!

"IF YOU SEE MATERIAL WHICH YOU HAVE REASON TO BELIEVE CONTAINS ASBESTOS, IT HAS BEEN DAMAGED AND YOU BELIEVE THAT THERE IS A SERIOUS RISK OF EXPOSURE TO ASBESTOS FIBRES, YOU SHOULD ASK EVERYONE TO LEAVE THE AREA."

HSE/TUC safety reps' guide

Graphic: Ned Jolliffe

Asbestos is Britain's top workplace killer. The factories have shut, but the asbestos hasn't gone away. A new guide for safety reps, published jointly by official safety watchdog HSE and the TUC, advises safety reps how to keep workplaces safe from asbestos – including clearing out when they believe there could be a serious risk.

The Control of Asbestos Regulations 2006 took effect in November 2006. "Safety representatives play an important role in controlling workplace risks and can help to prevent exposure to asbestos," a new joint Health and Safety Executive (HSE) and TUC guide to the regulations says.

"You are entitled to be provided with any information you need on asbestos, including any risk assessments and surveys. You should also be consulted on your employer's plans to manage asbestos."

Here's the problem

Asbestos is a potent killer. Just one asbestos-related cancer, mesothelioma, kills around 2,000 people every year – and the numbers are rising. Lung cancer linked to asbestos almost certainly kills even more, and several other cancers top up the numbers (*Hazards* 92). It also causes lung scarring (asbestosis), pleural thickening – which causes breathing difficulties – and pleural plaques, shadows on the lung which don't cause symptoms but have been linked to future cancer risk.

HSE believes a "significant" asbestos risk could remain in hundreds of thousands of commercial buildings, in lagging, partition walls, fire insulation, ceiling and floor tiles, roofing sheets and felt and other common building materials.

Over a quarter of all asbestos deaths today are in workers who haven't worked in the industry, but have been exposed in construction,

maintenance and related trades like painting, plumbing and building services that brought them into contact with asbestos. But you don't have to have worked with asbestos at all to be at risk – the children and even grandchildren of workers who brought fibres home in their hair and on their work clothes have died (page 24).

What's new?

The Control of Asbestos Regulations 2006 contain several new measures:

- ◆ There is a new, more stringent control limit (which no-one must go over) of 0.1 fibres per millilitre of air measured over four hours.
- ◆ Work with textured coatings will, generally, not need to be done by a licensed contractor. It will still need to be done safely by trained, competent people.
- ◆ Employers can no longer carry out work in their own premises with their own workers without a licence, if the work would otherwise require a licence.
- ◆ Training is required for anyone who is, or may be, exposed to asbestos.

Licensed to work

Work with the most dangerous asbestos-containing materials (which give off high fibre levels when disturbed), requires a licence from HSE. Work with most asbestos-containing materials requires a licence – virtually all work with loose packing, sprayed insulation, lagging and asbestos insulation board.

Very minor work (which, in total, takes one person no more than one hour, or more people no more than two hours in any seven-day period) does not require a licence; nor does work where a risk assessment confirms that the exposure (without a respirator) will not go above 0.6 fibres per millilitre in any 10 minute period, or go over the control limit and the work involves certain materials.

A licence is generally not required for work involving asbestos cement, textured coatings and other materials where the fibres are firmly held in a matrix, for example vinyl floor tiles

WHAT THE LAW SAYS

The regulations apply to all work with asbestos materials carried out by employers, the self-employed and employees and to all work with asbestos, whether it requires a licence or not.

Managing asbestos – regulation 4 Whoever has control of a building has a duty to manage any asbestos it contains. The "duty holder" has to take reasonable steps to find out if there is asbestos in the premises, how much, and in what condition. This can – but does not have to – involve a survey. The results of any survey should be recorded and the information provided to anyone who may work on or disturb these materials. Safety reps are entitled to this information. Those who control premises need to manage the risk. This includes an assessment of where the asbestos is or might be and its condition. It should be assumed asbestos could be present until a full survey is done.

Identifying asbestos – regulation 5 Employers must not carry out demolition, maintenance or other work that exposes, or may expose, employees to asbestos unless they have found out: whether asbestos is, or may be, present; the type of asbestos; and its condition. If there is any doubt, the employer should assume asbestos is present and that it is not only white asbestos.

Planning work – regulation 7 No work should be carried out with asbestos without a written plan of work. Safety reps should ensure there is a plan covering work methods, what happens to waste and how the employer will ensure the plan is followed.

Information, instruction and training – regulation 10 The employer must give adequate training, information and instruction to employees who are, or may be, exposed to asbestos, their supervisors and those who do work to help the employer comply with the regulations. The training must be given at regular intervals.

Preventing or reducing exposure – regulation 11

Employers have a duty to prevent exposure so far as is reasonably practicable. If exposure cannot be prevented, it must be reduced without workers having to use masks. If that has been done but the exposure would still be above the control limit, the employer has to provide suitable masks that reduce workers' exposures as far as is reasonably practicable below the control limit. It is good practice to use masks and other personal protective equipment even below the control limit. If any employee is exposed above the control limit, the employer must: inform the employee and their representatives; ensure work stops until action has been taken to reduce exposure to below the control limit; find out why the control limit was exceeded and take action to prevent it happening again; and take air samples to make sure this action was effective.

Asbestos tests – regulation 20 All air testing, sampling of asbestos and, from 6 April 2007, clearance certification must be carried out by someone who is properly accredited. The United Kingdom Accreditation Service UKAS is the only government-recognised accreditation body.

Health and medical surveillance – regulation 22

With only a few exceptions – where exposure is very low – for each employee who is exposed to asbestos, employers have to: keep a health record, retaining it (or a copy) for at least 40 years; ensure employees are under adequate medical surveillance; provide a medical examination at least every two years while such exposure continues, with certificates of examination kept for four years; and tell the employee if the medical shows any disease or health effect from the exposure.

and bituminous products such as roofing felt.

Don't risk it

The HSE/TUC guide says if a safety rep suspects the presence of asbestos, "they should ask the employer what has been done to determine if such materials are present. Safety representatives can ask to see the results of any inspection or survey done to identify the presence, and condition, of asbestos materials." It says there is only a risk if fibres become airborne, but adds "all asbestos-containing materials should be clearly marked, even if in good condition."

The guide says safety reps should

take a precautionary approach: "If you see material which you have reason to believe contains asbestos, it has been damaged and you believe that there is a serious risk of exposure to asbestos fibres, you should ask everyone to leave the area."

It says reps should "remember not to create more of a risk to people by, for example, causing a panic or leaving something in an unsafe condition. Remember also that minor damage to some asbestos materials does not always mean that there is a serious risk or that immediate evacuation of the area is warranted, for example minor damage to materials securely bound in a matrix such as

textured coatings or asbestos cement. However, damaged edges should be coated immediately, and repaired as soon as possible."

The guide adds: "No further work should take place until the area is safe. That means that action – appropriate to the risk – has been taken. Such action could be the repair or removal of asbestos or cleaning of the area by a trained person with suitable equipment."

Resources
The Control of Asbestos Regulations 2006: A guide for safety representatives, HSE/TUC, December 2006: www.tuc.org.uk/asbestos; www.hse.gov.uk/asbestos
Hazards website: www.hazards.org/asbestos www.hazards.org/cancer