

# A step by step guide

# Managing asbestos in workplaces

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#### **Purpose**

This guide provides practical information on the management of asbestos in workplaces. It combines mandatory regulatory requirements for managing asbestos with a suggested framework on how to achieve compliance. Legislative requirements are indicated by the use of the word 'must' and references to applicable regulations.

**Note:** detailed practical guidance on how to manage health and safety risks associated with asbestos exposure and comply with the requirements of the *Occupational Health and Safety Act 2004* (OHS Act) and Occupational Health and Safety Regulations 2007 (OHS Regulations) can be found in the Compliance Codes (refer to the 'Further information' section at the end of this document).

#### **Background**

Asbestos was used in a wide range of building products and materials up until the late-1980s. While some types of asbestos were banned in Victoria in 1992, the use of **asbestos-containing material** (ACM) in plant and machinery such as brakes and gaskets persisted until the end of 2003, when a total ban on the use of all forms of asbestos came into effect in Australia.

This ban complements the Commonwealth Customs (Prohibited Imports) Regulations 1956 which prohibit the importation of asbestos. Despite this prohibition, imported products including gaskets, vehicles, plant, locomotives, and building products have been found to contain asbestos. It should be noted that some countries classify goods as 'asbestos free' where they meet certain low levels of asbestos content (for more information see **border.gov.au**).

If your building was constructed or refurbished before the late-1980s, then it is likely to contain ACM. Note that building materials may have been stockpiled, stored or recycled and used in the construction of buildings after the bans on asbestos came into force.

Division 5 of 'Part 4.3 – Asbestos' of the OHS Regulations sets out the requirements for identifying and managing ACM in workplaces.

#### Additional duties

Where refurbishment, demolition or asbestos removal work is undertaken, additional duties apply under Part 4.3 of the OHS Regulations. **Division 6** specifies requirements for demolition or refurbishment work and **Division 7** specifies requirements for asbestos removal work

#### Who is this guidance for?

This guidance is intended for persons with management or control of a workplace (including plant) where ACM is identified. This may include:

- building owners
- employers who own plant in a workplace
- property agents or managers that manage premises on behalf of building owners.

# Do you need to manage asbestos in your workplace?

**Yes** – if a building or item of plant is of an age where it may contain asbestos, you must identify asbestos that is present or likely to be present. Where asbestos is identified or assumed to be present, there are duties to control the risk.

#### Who is at risk?

Inadequate management of asbestos (including ACM) in the workplace can lead to inadvertent exposure to airborne asbestos fibres, particularly during maintenance and renovation activities. Persons at particular risk include:

- tradespeople such as electricians, painters, carpenters, and plumbers
- persons installing computer, phone and alarm systems
- workers involved in general maintenance and repair activities, who work on the fabric of a building (eg walls, floor, roof).

Employees at the workplace and the public may also be at risk, for example if ACM can be readily disturbed, is in poor condition, or not managed properly.

#### What can you do to comply with the legislation?

In order to prevent the exposure of employees, contractors, and members of the public to airborne asbestos fibres, you should have a systematic approach to managing asbestos in the workplace.

This should include appointing a contact person for all asbestos matters. For the purpose of this document, this person will be referred to as the **asbestos coordinator**.

Step	Action			
STEP 1  Determine extent of management	You have duties to manage asbestos that is present in a workplace to the extent that you have <b>management or control</b> over the workplace.			
or control	If you are an:			
	Owner of a commercial property that is a workplace - you have management or control over:			
	<ul> <li>the building fabric (eg walls, floor, and roof), and</li> </ul>			
	<ul> <li>associated plant that forms part of the building or structure (eg a lift, boiler, air-conditioner).</li> </ul>			
	• Employer who owns the premise - you have management or control of the above and any plant that you introduce into the workplace.			
	• Employer who occupies but doesn't own the premise - you should review your lease (or similar agreement) as part of determining the extent to which you have management or control over the building and any associated plant. As an employer you also have management or control over any plant that you introduce into the workplace.			
	Owners of commercial properties or employers who own the premises can delegate the management or control of a workplace, including any asbestos that is present, to a commercial or industrial property agent or manager but they cannot delegate their duties under the OHS Act and OHS Regulations. Where managing asbestos is delegated, the property owner must ensure that the property agent or			
TIP:  Ask yourself, 'Do I have authority to make alterations to the building structure?'	manager is competent to manage asbestos. The property agent or manager may not comply with section 23 of the OHS Act if, for example, they act outside any agreement with the property owner which may result in people being exposed to asbestos.			
If <b>yes</b> , you have a level of management or control.	It should be noted that some lease agreements exist where the lessee may assume management for part of a building, for example to install lighting into ceilings. Any lease arrangements should be referred to as part of determining the level of management or control.			

#### Step

#### STEP 2

## Select a competent person to identify asbestos in the workplace

#### Action

Ensure that any person who inspects a workplace for asbestos is competent to do so. This applies to both employees and contractors.

WorkSafe Victoria does not approve persons to do asbestos inspections; however a **competent person** should, through a combination of training and work related experience:

- acquire appropriate knowledge skills and experience in identifying suspect asbestos and be able to determine risk and appropriate controls
- be familiar with building and construction practices to determine where asbestos is likely to be present, and
- be able to determine if the ACM is friable or non-friable and evaluate its condition.

Examples of competent persons include:

- Occupational hygienists with experience in identifying asbestos and assessing
  its associated risks. The Australian Institute of Occupational Hygienists
  (AIOH) has a list of consultants some of whom work in the asbestos area (aioh.
  org.au).
- Companies approved by National Association of Testing Authorities
   (NATA) for laboratory analysis of asbestos in materials may also have persons
   competent to carry out asbestos identification in the workplace (nata.com.au).

The person seeking to engage a competent person should ask questions regarding the experience that the competent person has in undertaking asbestos surveys. Experience in similar types of workplaces may be desirable. The scope and limitations of the service provided by the competent person should be clarified in regard to the areas proposed to be accessed or not accessed (eg roof spaces, subfloors). Information regarding the competent person's experience, and survey scope and limitations, is often provided by the competent person in a written document such as a quotation or work proposal.

#### Step

#### Action

#### STEP 3

Identify asbestos in the workplace

The **person who has management or control over the workplace** must identify all asbestos present so far as is reasonably practicable (Regulation 4.3.20(1)). Similarly an **employer** must, so far as is reasonably practicable, identify all asbestos which is under their management or control (Regulation 4.3.27(1)). The first step in the identification process is a thorough inspection of all building elements, in all areas of the building, and also of plant/equipment over which there is management or control by the particular duty holder.

The competent person chosen to perform the building inspection should consider the following:

Whether ACM identified is classified as 'friable' or 'non-friable'.

**Friable** means 'when dry, may be crumbled, pulverised or reduced to powder by hand pressure'. Friable products usually contain high percentages of asbestos (up to 100 per cent), which is loosely held in the product so that the asbestos fibres are easily released into the air if disturbed. Examples of friable ACM include:

- electrical, thermal and acoustic insulation (eg pipe lagging, asbestos rope, asbestos cloth)
- fire resistant insulation, for example sprayed 'limpet' asbestos in buildings
- asbestos millboard, for example used to line electrical switchboards
- asbestos backing to sheet vinyl.

**Non-friable** products cannot be crumbled, pulverised or reduced to powder by hand pressure. Asbestos fibres in non-friable products are tightly bound and are not normally released into the air. These products are made from a compound (such as cement) mixed with a small proportion (usually less than 15 per cent) of asbestos.

Examples of non-friable ACM include:

- asbestos cement building products (eg flat sheets, corrugated roofing material, gutters, downpipes, water pipes, roofing materials, flues)
- asbestos vinyl floor tiles
- asbestos containing bituminous products, for example bituminous roofing membranes and electrical switchboard panels (eg trade names such as 'Zelemite', 'Ausbestos').

#### TIP

Over 3000 uses of asbestos have been defined.

A list of ACMs can be found in the *Managing asbestos* in workplaces Compliance Code – Appendix P – Examples of asbestoscontaining materials.

#### Step

Refer to Figure 1 Location of commonly found ACM in buildings



#### **Action**

**Note:** ACM may deteriorate over time in various ways, including direct impact and mechanical vibration. Non-friable ACM, particularly asbestos cement based materials, can be exposed to conditions which render them friable, such as through fire, acid attack, mechanical action, flooding, and hail damage.

Consideration should also be given to whether there is asbestos contaminated dust (ACD) in the workplace.

In general ACM commonly found in buildings may include:

- asbestos thermal insulation (eg hot water/steampipes lagging, boiler insulation, fire doors)
- sprayed insulation on structural steel beams and ceilings for the purpose of fire rating or acoustic insulation
- external waterproofing membrane material, for example bituminous ACM
- roofing, gutters, downpipes, external walls may be asbestos cement (AC) products
- toilets, kitchens and laundries may contain AC sheet wall and ceiling linings
- flooring (eg vinyl sheet backing, vinyl floor tiles)
- electrical switchboards (eg fuse board backing, internal lining, spark arresters)
- flues to hot water systems
- ACM debris and ACD from damaged materials or from past poor removal practices, for example AC debris adjacent to AC walls in a factory.

**Note:** A building inspection to identify asbestos for the purpose of ongoing management may be referred to as an asbestos survey (or audit), an asbestos register, or a Division 5/Div 5/Part 5 asbestos survey (or audit).

#### Analysis of samples

Materials can be assumed to contain asbestos or they can be sampled and sent for asbestos identification in a laboratory. Only analysts approved by NATA can analyse samples for the purpose of the OHS Regulations.

#### Step

# TIP: A judgement of the likelihood of asbestos being located in an inaccessible area can be made based on:

- a knowledge of the age of the building construction and building services (pipework, boilers, riser shafts)
- history of asbestos removal in the building (eg asbestos pipe lagging may have been removed in part of a building, but not in spaces which are enclosed and have pipework running through them)
- where asbestos is located elsewhere in the building - if it is evident that there is a large amount of ACM in the building, then this may increase the likelihood of asbestos being found in inaccessible areas.

#### Action

#### What about inaccessible areas?

An **inaccessible area** is an area that cannot be accessed during normal daily activities or routine maintenance. **Inaccessible areas that are likely to contain asbestos** are inaccessible areas that a competent person, through experience, knowledge, and consultation (with the person with management or control over the workplace, employer, and employees) has assumed or determined is likely to contain asbestos.

Examples of inaccessible areas that are likely to contain asbestos include:

- a cavity in a building that is completely (or almost completely) enclosed and suspected of containing asbestos (based on where asbestos is located elsewhere in the building) and access is only possible through destruction of part of the walls of the cavity
- the inner lining of an old boiler pressure vessel which is not accessible due to the design and operation of the boiler, and access can only be via partial destruction of the outer layer
- vinyl tiles that may contain asbestos, which have had a number of layers of non-ACM placed over them and secured where some form of destruction is required in order to access the vinyl that may contain asbestos.

The following are **not** 'inaccessible areas' but may have limited accessibility and must be either inspected or assumed to contain asbestos:

- locked rooms
- storage areas
- locked security safes

- sub-floor
- ceiling spaces
- fire doors

- stairwells
- basements and cellars

It may not always be practicable to identify all asbestos in a workplace. The presence of other hazards such as falls from heights (for example from roofs) and electrical hazards (for example in switchboards), may limit the ability to identify asbestos. When access to areas is not reasonably practicable, the areas not accessed that may contain asbestos must be assumed to contain asbestos, as judged by the competent person carrying out the inspection.

#### Step

#### STEP 4

Create an asbestos register

Refer to Figure 2:

Example of an asbestos register

#### **Action**

The results of asbestos identification and any materials assumed to contain asbestos must be recorded in an **asbestos register**.

The person who has management or control of a workplace must prepare and maintain an asbestos register over which they have management or control (Regulation 4.3.21). An employer must also prepare and maintain an asbestos register if any asbestos is identified under their management or control (Regulation 4.3.29).

The asbestos register must be current and include:

- details of the location of the asbestos
- the likely source of asbestos that is not fixed or installed
- in relation to ACM
  - the type of ACM
  - whether it is friable or non-friable
  - the condition
  - whether it is likely to sustain damage or deterioration
- details of, and the location and likely source of asbestos in inaccessible areas
- so far as possible, information about activities likely to be carried out in the workplace that are likely to damage or disturb the asbestos.

Asbestos which is **not fixed or installed** must also be
documented in the asbestos
register, for example pipe
lagging debris, resulting
from previous poor removal
practices, lying in a ceiling
space. Note that prohibitions
apply to the storage of
asbestos that is not fixed
or installed. This means
asbestos not fixed or installed
must be disposed of as soon
as is reasonably practicable.

The **competent person** generally develops the asbestos register on behalf of the person who has management and control.

A report provided by the competent person contains the asbestos register, usually as an appendix to the report. The body of the report contains supporting information such as site description and inspection methodology. The report should also contain NATA endorsed certificates of asbestos fibre identification for any samples collected during the inspection; sample numbers quoted in the certificates should be referenced in the asbestos register.

The report may also contain photographs of ACM and drawings or plans marking up the location of ACM.

#### The asbestos register should be a 'stand-alone' document.

The asbestos register is usually presented within an asbestos survey report. Often, the portion of the report that contains the asbestos register is copied by the person who has management or control of the workplace (or employer) for distribution to relevant parties. Simply copying the asbestos register may lead to the loss of essential information which is found elsewhere in the report. Competent persons are encouraged to present the asbestos register as a stand-alone document. The asbestos register should include information on inaccessible areas likely to contain asbestos. You need to read asbestos survey reports in their entirety to ensure that all information relating to the identification of asbestos in your workplace is fully understood.

#### Step

#### STEP 5

#### **Label ACM**





#### **FURTHER INFORMATION:**

Worksafe Victoria guidance information about *Labelling asbestos* containing materials in workplaces

#### Action

The presence and location of asbestos, or material that is assumed to contain asbestos, must be clearly indicated, and if reasonably practicable, labelled (Regulations 4.3.20(6), 4.3.27(6)).

Direct labelling should be considered first. Methods of indicating the presence of asbestos may include:

- placing labels directly on or adjacent to asbestos (if safe to do so)
- placing colour-coded labels on asbestos and informing all employees what the labels mean
- placing a sign at the entrance of every building that contains asbestos in the workplace, requiring persons to review the asbestos register before any work which may disturb asbestos is commenced. The asbestos coordinator should provide guidance to determine when persons are required to review the asbestos register before commencing work. In addition, signage may be placed at the front entrance/gate instructing all visitors and contractors to report to the main reception area/general office.

#### Step

#### STEP 6

#### Control the risk

Regulations 4.3.25, 4.3.32

#### Action

**If ACM is in good condition and left undisturbed**, the risk to health is low. It is usually safer to leave it fixed or installed and review its condition regularly.

If ACM has deteriorated, has been disturbed or if asbestos contaminated dust is present, the likelihood that asbestos fibres will be released into the air is increased.

If a risk of exposure to asbestos fibres has been established through an inspection and documented in your asbestos register, then risk of exposure must be controlled according to the hierarchy of control set out below (Regulations 4.3.25, 4.3.32):

- 1. Eliminate the risk so far as reasonably practicable by removing the ACM.
- 2. If a risk remains, reduce the risk so far as reasonably practicable by enclosing the asbestos.
- 3. If a risk remains, further reduce the risk so far as reasonably practicable by sealing the asbestos.

#### How do I carry out my duties to control risk?

The following information outlines one approach to managing asbestos in a workplace:

#### Appoint an asbestos coordinator

A person can be appointed as contact point for all asbestos-related matters and safe management of asbestos within the workplace. The **asbestos coordinator** is appointed by the owner or employer.

Functions of an asbestos coordinator could include:

- being the primary contact person for contractors and persons likely to disturb asbestos
- providing information to and inducting employees and contractors, and keeping records of induction
- maintaining the asbestos register identifying the presence and location of asbestos within the workplace
- being aware of the risks associated with the presence of asbestos
- communicating matters related to asbestos risk management to employees, contractors, visitors, volunteers, and the public
- implementing actions required to control the risk associated with the presence of asbestos
- conducting or facilitating regular visual inspections of workplace facilities and documenting this in the asbestos register; the frequency of inspections will depend upon risk assessment
- consulting with the health and safety representatives (HSRs) regarding the above, including conducting inspections, maintaining the asbestos register, and all proposed refurbishments, demolitions and minor works involving ACM
- managing proposed demolition and refurbishment activities with respect to asbestos
- facilitating the review of the asbestos register in relation to proposed refurbishment or demolition
- following up regarding asbestos related concerns discussed in employee meetings or through other forums.

#### Step Action

**Note:** asbestos registers developed for Division 5 of Part 4.3 of the OHS Regulations must be reviewed (in accordance with Division 6) prior to any refurbishment or demolition.

This is to ensure that inaccessible areas that are likely to contain asbestos (ie not accessed in the survey) which may be affected by the proposed works are investigated prior to the works being carried out to avoid inadvertent exposure to asbestos (and a breach of Division 6).

Ensure other employees are suitably trained to undertake the duties of the asbestos coordinator in the event that the asbestos coordinator is unavailable. Any delegated personnel should be kept informed of any current issues regarding asbestos management in the workplace.

#### Manage contractors

- Provide induction for contractors.
- Contractors must be shown the asbestos register in order to identify how their work could possibly impact on areas containing asbestos.
- Contractors should provide a job safety analysis for the work they are to carry out.
- A permit-to-work system may be implemented which helps to ensure that people are made aware of the presence and location of asbestos before they commence work. It can also specify any actions required or to be avoided in relation to scope for works and ACM. The permit form should be signed after carrying out an inspection of relevant areas, before the work commences and after completion of the work, and signed by the asbestos coordinator or other appointed person.

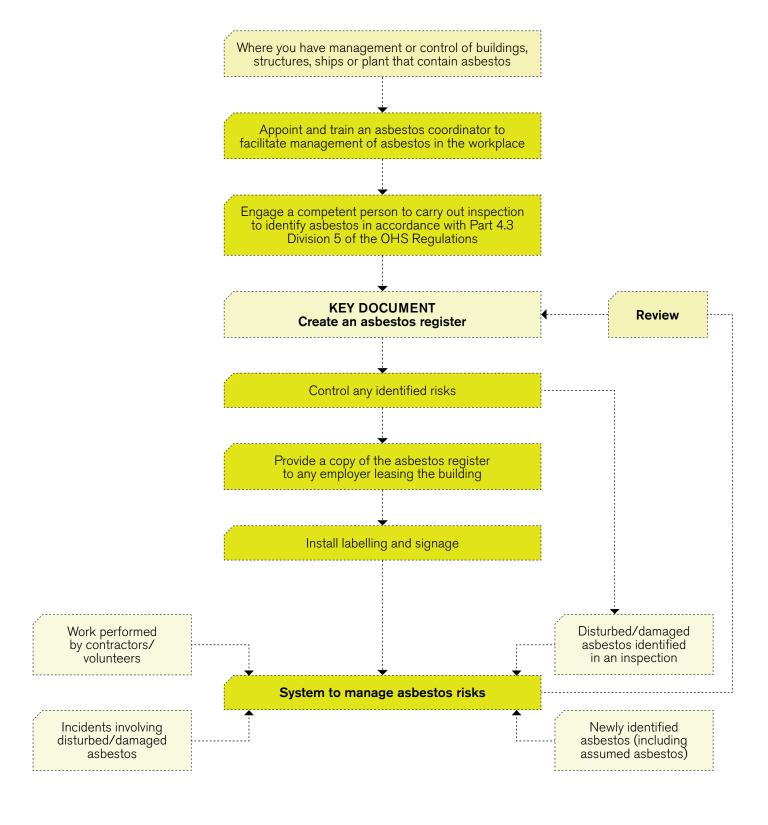
Prior to commencing demolition work in a workplace (including plant that forms part of a workplace) the person who manages or controls the workplace must identify asbestos that may be disturbed by proposed demolition work and ensure, so far as is reasonably practicable, that the asbestos is removed before the demolition work is commenced (Regulation 4.3.39). For further information on demolition or refurbishment where asbestos is present, refer to Division 6 of the OHS Regulations and the *Managing asbestos in workplaces* Compliance Code.

#### Have a procedure for incidents involving asbestos

- If you become aware of damage or disturbance to asbestos at your site, either after an inspection, or as a result of a hazard report or previously unidentified asbestos are located, the affected area needs to be isolated immediately. All persons should be removed from the affected area and access prevented either by locking a room or isolating the area of the workplace (such as by erecting temporary fencing or placing barricade tape around the area).
- Signage should be displayed at entrances to the affected area or at the fence, or tape should be used to delineate where unauthorised personnel must not enter.

Step	Action
	<ul> <li>Assessing extent of disturbance/damage</li> <li>For all incidents involving disturbance or damage to asbestos, contact a competent person to carry out an assessment. The area is to remain isolated until clearance is provided by the competent person.</li> </ul>
	<ul> <li>Maintaining records of asbestos assessments</li> <li>Records need to be kept of advice provided in relation to managing disturbance or damage of asbestos (including where asbestos has been newly identified).</li> </ul>
STEP 7	You must make the asbestos register available (Regulations 4.3.23, 4.3.31)
Making the register available	The person who manages or controls the workplace must provide a copy of the asbestos register to:
	<ul> <li>employers or self-employed persons located at the workplace</li> </ul>
	<ul> <li>an asbestos licence holder engaged to do asbestos removal work, and</li> </ul>
	<ul> <li>any other person as required under the OHS Regulations.</li> </ul>
	There are also similar duties for employers to ensure that their asbestos register is readily accessible to their:
	■ employees, and
	to provide it to:
	■ HSRs
	<ul> <li>asbestos licence holders engaged to conduct asbestos removal work</li> </ul>
	<ul> <li>contractors engaged to perform work at the workplace.</li> </ul>
STEP 8 Keeping the asbestos register	How often does the register need to be kept up to date? (Regulations 4.3.22, 4.3.30)
updated	The asbestos register must be kept current, and updated to include:
	any change in the condition of asbestos, such as damage or deterioration
	<ul> <li>details of asbestos that has been removed, enclosed or sealed</li> </ul>
	<ul> <li>details of new cases of identified asbestos (Regulations 4.3.20(1), 4.3.27(1)).</li> </ul>
	All asbestos registers must also be reviewed and revised <b>at least every five years</b> ; even if there have been no changes. Any review of the register should be documented to identify:
	<ul> <li>when the review was undertaken</li> </ul>
	<ul> <li>what it involved</li> </ul>
	• the outcome, for example changes in conditions
	<ul> <li>name of competent person who undertook the review.</li> </ul>

#### **Overall asbestos management process**

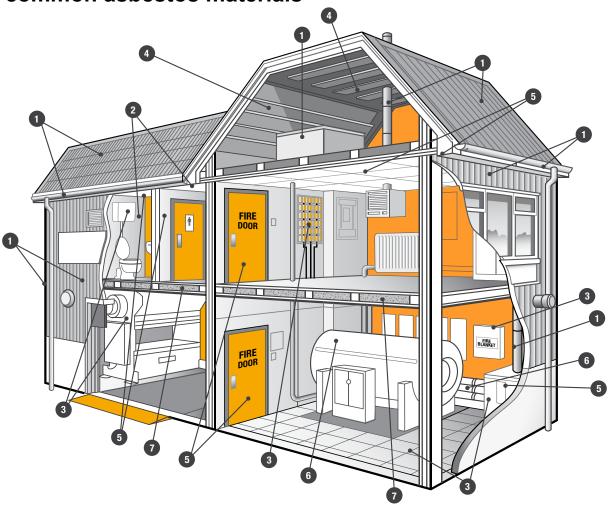


#### How am I managing asbestos in my building at the moment?

Use this checklist to help you identify any changes that need to be made to ensure the health and safety of your employees and the public.

Element		$\checkmark$	
Asbestos coordinator	An asbestos coordinator has been appointed to centrally manage asbestos in the organisation.		
Identify	An inspection (survey) has been performed to identify all asbestos in the workplace.		
	Materials suspected to contain asbestos have been assumed to contain asbestos, or sampled and sent for asbestos identification by a NATA approved analyst.		
	All inaccessible areas that are likely to contain asbestos have been identified.		
Record	An asbestos register has been prepared and includes all identified asbestos and inaccessible areas that are likely to contain asbestos.		
Control risk	Risks have been controlled by eliminating, enclosing or sealing identified asbestos.		
System	A system is in place to inform contractors and others who attend the workplace to do work where asbestos is located and may be disturbed.		
	Employees have been informed of the system in place to manage asbestos.		
Label	Asbestos is labelled as far as is practicable.		
	Employees understand what the labelling means.		
Review	The asbestos register is updated when changes to asbestos are made (including removal, enclosure, sealing), and the asbestos register is revised at least every five years.		

# Typical locations for the most common asbestos materials



#### Where am I likely to find asbestos materials?

- 1 Asbestos cement products
- 2 Textured coatings
- 3 Floor tiles, textiles and composites
- 4 Sprayed coatings on walls, beams/columns
- 6 Asbestos insulated board
- 6 Lagging
- Loose asbestos in ceiling or floor cavity

Note: This diagram does not show all possible uses and locations of asbestos materials. A detailed survey will be required to identify all asbestos materials in a building.

Figure 1: Typical locations for the most common asbestos materials.

Note: This diagram does not show all possible uses and locations of ACM.

A detailed survey will be required to identify all ACM in a building.

Source: Health and Safety Executive Asbestos kills: Protect yourself! Reproduced under the terms of the Click-Use Licence.

Figure 2: Example of an asbestos register

# Asbestos register

Workplace name/occupier

Workplace address:

Inaccessible areas likely to contain asbestos: Provide description of the location and nature of the asbestos. An example of such a description is: "Wall cavity adjacent to the boiler is likely to contain asbestos lagging on pipes'.

Date for reassessment				
Control Date for recommendation reassessment /comments				
Activities that Date of may disturb identification asbestos				
Activities that may disturb asbestos				
Likely to sustain damage or deteriorate?				
Condition				
Friable or non-friable?				
Sample No.				
Location				
Type of asbestos, (including ACM)				
Item no				

# Where to get more information

#### **Further information**

Contact the WorkSafe Victoria Advisory Service on **1800 136 089** or go to **worksafe.vic.gov.au** 

For more information on EPA laws, go to: epa.vic.gov.au

Occupational Health and Safety Regulations 2007 **legislation.vic.gov.au/** 

#### WorkSafe Victoria publications

Removing asbestos in workplaces Compliance Code Managing asbestos in workplaces Compliance Code

The information presented in this guidebook is intended for general use only. It should not be viewed as a definitive guide to the law, and should be read in conjunction with the Occupational Health and Safety Act 2004 (Vic). Whilst every effort has been made to ensure the accuracy and completeness of this guidebook, the advice contained herein may not apply in every circumstance. Accordingly, WorkSafe cannot be held responsible, and extends no warranties as to the suitability of the information for your specific circumstances; or actions taken by third parties as a result of information contained in this guidebook.





#### WorkSafe Victoria

#### **Advisory Service**

Phone....(03) 9641 1444 Toll-free......1800 136 089 Email....info@worksafe.vic.gov.au Website worksafe.vic.gov.au

#### **WorkSafe Agents**

**ALLIANZ Workers' Compensation** (Vic) Limited

Freecall: 1800 240 335

**CGU Workers Compensation** (Vic) Limited

Freecall: 1800 066 204

**Gallagher Bassett Services Workers Compensation Vic Pty Ltd** 

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