

# **REPORT ON THE REVISED APPROVED CODE OF PRACTICE: MANAGEMENT OF EXPOSURE TO ASBESTOS IN WORKPLACE BUILDINGS AND STRUCTURES**

## **1. SUMMARY**

The Minister for Social Security agreed to the proposal to revise the Approved Code of Practice (ACoP) on the Management of Exposure to Asbestos in Workplace Buildings and Structures on 20 March, 2009, to take into account the introduction of the Asbestos (Licensing)(Jersey) Regulations, 2008, and to reflect changes that have occurred in the control of exposure to asbestos fibre since the introduction of the existing ACoP, in January, 2005. The Minister agreed for comments to be sought on this proposal.

This report sets out the consultation process that has taken place, and advises that all of the written submissions received have been in support of the proposed revision of the existing ACoP.

It is therefore recommended that the Minister formally approve the Code of Practice with a coming into force date of 1<sup>st</sup> October, 2009, and revoke the existing ACoP which came into force on 1<sup>st</sup> January, 2005.

## **2. BACKGROUND**

The Minister is able, following a period of consultation with such persons as he considers necessary, to approve codes of practice, under Article 10 of the Health and Safety at Work (Jersey) Law, 1989, for the purposes of providing practical guidance on how organisations and individuals can comply with their legal requirements under the Law.

ACoP's do not introduce new legal requirements, but can be referred to by the Courts when considering the measures that may be necessary to comply with the Law.

## **3. CONSULTATION**

### **3.1 Consultation process**

The consultation process has involved:

- A notice being placed in the Jersey Gazette on 17<sup>th</sup> and 20<sup>th</sup> April 2009;
- Publicity on the proposals for the ACoP being made through the Jersey Safety Council newsletter;
- Copies of the consultation document for the ACoP being sent to 26 representative organisations and individuals. A list of the organisations that were sent copies of the document is contained in Appendix A;
- The consultation document being made available on the Health and Safety Inspectorate website. This generated 61 visits, with 68 separate views of the document. Further statistical details are provided in Appendix B.

### **3.2 Responses to consultation process**

Persons wishing to comment on the proposals for the ACoP were requested to submit their comments in writing, either by letter or email, to the Department by the 15<sup>th</sup> May, 2009. Responses were received from the following organisations:

- The Jersey Occupational Safety and Health Association;
- Mr M Sartin, Managing Director, CAC Environmental Services Ltd;
- Mr A McLellan, Managing Director, Normandie Analytical Services Ltd;
- Mr P Richardson, Managing Director, Amalgamated Facilities Management Ltd;
- Mr D Monks, Head of Waste Regulation.

Copies of the comments that were made are included as Appendix C.

### **4. CONCLUSIONS AND RECOMMENDATIONS**

The responses that were received were all in support of the revision of the ACoP with the respondents making constructive comments. All of these comments have been carefully considered and minor amendments incorporated into the final document with the intention of clarifying the guidance set out in the ACoP.

In view of the positive response to the proposed revision of the ACoP, it is recommended that the Minister formally approve the revised ACoP under Article 10 of the Health and Safety at Work (Jersey) Law 1989 with a coming into force date of 1<sup>st</sup> October 2009, and revoke the existing ACoP which came into force on 1<sup>st</sup> January 2005.

The formal Notice of Approval and Notice of Withdrawal of Approval are included as Appendix D.

If the Minister agrees to the above, arrangements will be made for the publication of the revised ACoP, and for a notice to be placed in the Jersey Gazette in accordance with Article 10 of the Health and Safety at Work (Jersey) Law, 1989.

**Tammy Fage (Mrs)**  
**Health and Safety Inspector**

**3rd July 2009**

## Appendix A

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**Asbestos ACoP rev 2008  
Consultation Document sent**

Name	Document Sent
C.A.C. Environmental Services Ltd.	17 April 2009
Burton Environmental Services Ltd	17 April 2009
Aspect Contractors Ltd	17 April 2009
Clifford Devlin Ltd	17 April 2009
Countrywide Environmental Services Limited	17 April 2009
D. Newcombe Services Ltd	17 April 2009
Economic Insulations (Asbestos Removal) Limited	17 April 2009
Merryhill Envirotec Ltd	17 April 2009
Rhodar (South West) Limited	17 April 2009
Bureau Veritas UK Ltd	17 April 2009
Normandie Analytical Services Ltd	17 April 2009
Ensafe Consultants Ltd	17 April 2009
Pyeroy Ltd	17 April 2009
R Hayman & Sons Ltd	17 April 2009
AsbesteX Limited	17 April 2009
Amiante Limited	17 April 2009
Silverdell (UK) Limited	17 April 2009
Bob Staddon Jersey Safety Council	17 April 2009
Dave Ward Chairman JOSHA, c/o Jon Wilkins & Co (Jersey) Ltd	17 April 2009
A McLellan Normandie Analytical Services Ltd	17 April 2009

Name	Document Sent
Martin Holmes Camerons Ltd	17 April 2009
John Rich Hepburns Insurance	23 April 2009
Mrs S Gorman ?	27 April 2009
David Monks Head of Waste Regulation	12 February 2009 (pre official consultation)
Dennis Rive TTS	12 February 2009 (pre official consultation)
A Osmond Bel Royal Motors Ltd	11 June 2009 (in response to late request)

## Appendix B



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## Social Security (www.gov.je)

Custom View: 09/04/09 - 23/05/09

09 April 2009 00:00:00 – 23 May 2009 23:59:59

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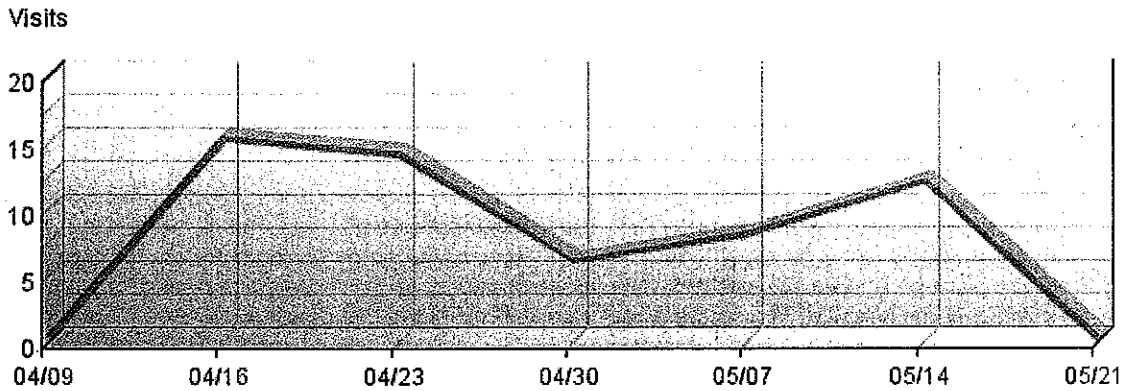
Pages.....3



## Pages

This report identifies the most popular pages on your site and shows you key metrics for each page such as Visits, Page Views and Average Time Viewed.

### Pages Trend



Pages: Search Results For <a href="http://www.gov.je/SocialSecurity/HSI/Whats+New/WNAbestosACoPconsult.htm">www.gov.je/SocialSecurity/HSI/Whats+New/WNAbestosACoPconsult.htm</a>					
	Pages	Visits	Views	Average Time Viewed	Average Time to Serve (ms)
1.	<b>What's New? - Consultation on a revision of the "Management of Exposure to Asbestos in Workplace Buildings and Structures: Approved Code of Practice" (April 2009)(Updated May 2009)</b> <a href="http://www.gov.je/SocialSecurity/HSI/Whats+New/WNAbestosACoPconsult.htm">http://www.gov.je/SocialSecurity/HSI/Whats+New/WNAbestosACoPconsult.htm</a> Overall Rank: 96	61	68	00:02:45	0
<b>Total</b>		-	68	-	-

Items 1-1 of 1

### Pages - Help Card



Column Definitions

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## Pages - Help Card

### Pages

Any displayed page. You can specify for each profile the types of files that qualify as a page. These settings can be changed by the WebTrends administrator.

### Visits

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### Views

Number of times this page was viewed by visitors.

### Average Time Viewed

Average length of time the specified page was viewed. (The format is hh:mm:ss - hours:minutes:seconds.)

### Average Time to Serve

Average amount of time (in milliseconds) it took to serve each document during the specified time interval. The time to serve spans from the time the server got a page request until it transmitted all the data.

**Note:** Note that in order to show a total for this column, the value is computed to 2 decimal places. However, because the data for each row is an integer measured in milliseconds, the two decimal places are not significant for Average Time to Serve row values. If the entire column shows values of zero, your web server may not be logging Time to Serve information.



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This report was generated by WebTrends 8, Version: 8.1a, Build: 2048 .  
09 June 2009 10:24:09  
Final report conversion by WebTrends Report Exporter, Version 8.1a (build 2048)

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## Appendix C

**Comments received on proposals to revise Asbestos ACoP  
Consultation ended 15 May**

Date	Name	Location of comments
20 April	Mark Sartin & Martin Counce CAC Environmental Services Ltd	File
12 May	Angus McLellan Normandie Analytical Services Ltd	File
18 May	JOSHA	File
26 May	Paul Richardson AFM	File
1 June	David Monks Head of Waste Regulation Environmental Protection	File

## Colin Myers

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**From:** Lee McGurty  
**Sent:** 26 May 2009 16:17  
**To:** Colin Myers  
**Subject:** Asbestos ACoP

Comments from CAC Environmental

Colin

Please find below some comments which were received verbally from Mark Sartin and Martin Counce on 20 April 2009.

There should be additional information in relation to both employers' liability and public liability insurance.

The issue with employers' liability is that many policies specifically exclude work with any asbestos containing materials which includes those products which fall outside of the licensing regime.

The issue with public liability is linked with the above in that many policies also exclude this cover. When things go wrong, this can result in the contractor having to bear huge clean up costs.

**Lee McGurty (Mrs) | Health and Safety Inspector | Health and Safety Inspectorate**  
States of Jersey | Social Security Department | PO Box 55 | Philip Le Feuvre House | La Motte Street | St Helier | Jersey CI | JE4 8PE  
T: +44(0)1534 447296 | F: +44(0)1534 873791 | W: [www.gov.je/hsi](http://www.gov.je/hsi)



Think of the environment...do you need to print this e-mail?

**Colin Myers**

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**From:** Angus McLellan [Angus@normandie-group.com]  
**Sent:** 12 May 2009 14:35  
**To:** Colin Myers  
**Subject:** ACoP 8.

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\*\*\*\*\*  
Colin

Things have been a little frantic recently added to which I had to attend a funeral in France that took me out of circulation for a week.

I am aware the consultation period is shortly due. I have noted a couple of things on a quick flick through but hope to have more time to comment later.

Para 173, "less than 30% by weight;" I think you need to specify water and that the test is detailed in L143.

I also believe there is a need to add a proviso that a risk assessment should firstly be conducted to confirm the work with these materials will not expose persons to levels above the control limits and that all other elements of CAR 2006 Reg 3 are complied with before deeming the work to be non licensed.

I hope to get some bed time reading in this week

Regards

Angus

**Angus McLellan**  
**Technical Director**  
**Normandie Analytical Services Limited**  
**Tel: 01481 253953 Fax: 01481 257851**  
**E-Mail: [angus@normandie-group.com](mailto:angus@normandie-group.com)**

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Management of Exposure to Asbestos in Workplace Buildings and Structures:  
Approved Code of Practice  
- Consultation on Revision

Response to the Minister of Social Security's consultation from :

**The Jersey Occupational Safety and Health Association (JOSHA)**



## **About JOSHA**

The Jersey Occupational Safety & Health Association (JOSHA) was set up in 2003 to provide any person working, or with an interest, in the field of occupational health and safety, with a forum for discussion and promotion of good health and safety management practices.

The Association is a member of Safety Groups UK, a group of around 70 community based groups affiliated to the Royal Society for the Prevention of Accidents (RoSPA). The Association also has close links with the Institution of Occupational Safety and Health (IOSH), the largest body for health and safety professionals in the world. Locally the Association has strong links with the Jersey Safety Council and the Health and Safety Inspectorate.

The Association produces a quarterly newsletter and regularly invites experts in areas of health and safety to speak on a variety of topics. For example, stress, fire safety and asbestos to safety in the Arctic.

In 2009/10 JOSHA Events will include presentations from visiting speakers on the following topics:

- Occupational Health
- CDM the UK's experience
- Safety for the London Olympics

We will also be welcoming the President of the Institution of Occupational Safety and Health in November.

Enquiries about this response should be directed to:  
Patrick Guyomard CMIOSH, JOSHA Vice Chairman  
c/o Jon Wilkins & Co (Jersey) Ltd, Route de la Vallee, St Mary, JE3 3DL

Tel: 484520

Comments

Page	Paragraph	Comment
7	11, 13	<p>Within the 3 short paragraphs of the section Who should read this publication? The following terms are used:</p> <ul style="list-style-type: none"> <li>non-domestic premises</li> <li>non-domestic properties</li> <li>multi tenanted premises</li> <li>residential properties</li> <li>rented domestic premises (all the above not defined)</li> <li>domestic properties (defined on page 8 as a private dwelling where somebody lives)</li> </ul> <p>Bearing in mind that the Preface is more likely to be read by non professionals, we feel that there may be some risk of confusion over the terms and suggest that either definitions are added or examples are included for clarity or, similar to the L143 Work with materials containing asbestos, simply use the word premises.</p> <p>For example            Business Premises – any premises which forms part of a business, including shop, offices, industrial buildings, hotels and residential homes for the elderly etc.            Domestic premises –private dwellings where somebody lives</p>
9	12	<p>We do not believe that including the phrase 'is a narrower term' in any way adds to the meaning of reasonable practicable and should be removed. The Sentence should read 'The term reasonably practicable allows economic considerations...'</p>
12	10	<p>We feel that the fact that there is no safe level of asbestos should be emphasised therefore the paragraph should read:            'but <b>all types of asbestos are dangerous and there is no safe level of exposure.</b> The risk of developing an asbestos related disease will increase as the frequency, duration and level of exposure increases.'</p>

12	13	To stay in line with the UK control of Asbestos Regulations change 'exposure must not exceed 0.6 fibres/cm <sup>3</sup> ' to 'exposure must be less than 0.6 fibres/cm <sup>3</sup> '. In addition change 'using respiratory protective equipment' to 'by the use of respiratory protective equipment' if exposure cannot be reduced sufficiently using other means.'
12	14	Remove 'Such controls may include identification, labelling and making people aware of the presence of ACM'. The line makes no sense in this paragraph and appears, more appropriately, in paragraph 26 page 13.
13	20	Remove the word 'they' from the line 'The self-employed should also <b>they</b> have a similar level of knowledge and competence.
13	21	Remove the last part of the paragraph 'where it is foreseeable that their work will disturb the fabric of the building'. We believe this line is unnecessary repetition as the trades mentioned are involved in work which could, to use the first line of the paragraph, 'could foreseeably expose them to asbestos whilst carrying out their normal day-to-day work'.
13	26	To emphasise that the paragraph should read, in bold for emphasis: ' <b>Remember, provided that there is no likelihood of asbestos fibres being released, not all ACMs that are found need to be removed. It may be...</b>
14	27	Remove <b>there</b> in the line 'and thereby controlled so that, so far as is reasonably practicable, <b>there</b> it does not pose a risk to health.
14	29 - 33	We believe that there is a risk of confusion within the advice for dealing with accidental release of asbestos fibres. For example paragraph 32 for cleaning of debris or dust 'In the case of asbestos insulation or asbestos insulation board this will <u>usually</u> involve the use of a licensed asbestos contractor.' In paragraph 205 for non - licensed work we read 'A licensed contractor will <u>almost certainly</u> be required'. We suggest that to avoid potential misunderstanding for any cleaning or decontamination requirements that there should be no variation in wording and the section on page 14 should read:

		<p><b>Inadvertent discovery of, or damage to, asbestos-containing materials</b></p> <p>28 no change</p> <p>29 If a suspected ACM is uncovered, or a known or suspected ACM gets damaged by accident procedures must be in place to minimise the risk of inhalation of asbestos fibres. The procedure should include instructions to:</p> <ul style="list-style-type: none"> <li>• Immediately stopping work</li> <li>• Evacuating the area</li> <li>• Sealing the area</li> <li>• Decontaminating any person contaminated with visible dust or debris</li> <li>• Thoroughly cleaning the area which may have been contaminated by asbestos fibres</li> </ul> <p>30 More detailed guidance on dealing with inadvertent release of asbestos fibres can be found in:  Part 2 The Asbestos Management Plan, paragraphs 79 -83  Part 3 Asbestos Containing Materials subject to the Asbestos Licensing (Jersey) Regulations 2008, paragraphs 168 – 172  Part 4 Asbestos Containing Materials not subject to the Asbestos Licensing (Jersey) Regulations 2008, paragraphs 201 - 206</p>
16	45	<p>We feel there is no need to mention that MDHS 100 is currently being reviewed as should anyone wish to refer to the document they will read the current version.</p>
16	47	<p>In this paragraph some organisations and their acronyms are listed – some have the acronym in brackets – United Kingdom Accreditation Services (UKAS), others the full name is in the bracket ARCA (Asbestos Removal Contractors Association).  Simply for consistency keep to one convention, we suggest acronyms in brackets.</p>
17	60	<p>We suggest the word 'must' should be in bold for emphasis.</p>
23	Table 3	<p>In 1. Scope of Work, the bullet point should be changed from:</p> <ul style="list-style-type: none"> <li>• Name of supervisor. n Full address of site</li> </ul>

23	Table 3	To <ul style="list-style-type: none"> <li>Name of supervisor</li> <li>Full address of site</li> </ul>
24	Table 3	In Control Measures the bullet point should read <ul style="list-style-type: none"> <li>Maintenance arrangements for respiratory protective equipment (RPE) and equipment Simply as RPE is not defined until page 25</li> </ul>
25	109	In 11. Site Documentation the bullet point should read <ul style="list-style-type: none"> <li>Record the air tests of the Decontamination Unit (DCU) Simply as DCU is not defined until page 28</li> </ul>
26	115	Unnecessary indent
29	154	The paragraph reference is in the wrong font size
32	175	The phrase 'An analyst will normally need to be appointed ...' Consider changing to 'An Analyst must be appointed' so that there is no doubt on the matter.
33	177	Unnecessary indent
35	206	The brackets (see paragraph , page ) and missing the reference paragraph and page numbers. We believe the recommendation to consult a GP is an excellent idea but would suggest that as well as informing the GP of the date(s), duration, type of fibre and likely exposure level; a note should be made of the any respiratory protective equipment provided and whether it was FFP3, FMP3 etc.

Comments from Paul Richardson

Afm

**From:** Colin Myers  
**Sent:** 26 May 2009 14:49  
**To:** 'Paul Richardson'  
**Subject:** RE: Asbestos ACoP  
Hi Paul,

Thanks for your helpful comments.

Regards

Colin

**Colin Myers**  
**Director of Health and Safety**  
**Health and Safety Inspectorate**

Tel (01534) 447295  
Fax (01534) 873791

-----Original Message-----

**From:** Paul Richardson [mailto:Paul.Richardson@amalgatedfm.com]  
**Sent:** 26 May 2009 10:09  
**To:** Colin Myers  
**Cc:** Annie Le Voguer; Clive Russell (Fire); Bob Staddon  
**Subject:** Asbestos ACoP

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\*\*\*\*\*  
Hi Colin,

Annie dropped off the document and I have had a read through this weekend.

It looks really good and will be a useful guide.

I have two small observations / requests.

1. General - Could the use of a suitable information template, such as the one provided by the Fire & Rescue Service, be made a requirement. This document should be positioned near the fire panel in each property to advise the Fire & Rescue of the location of any ACM.
2. 8.1 - Should this include personal possessions as well as tools and equipment.

Apart from the above it looks great.

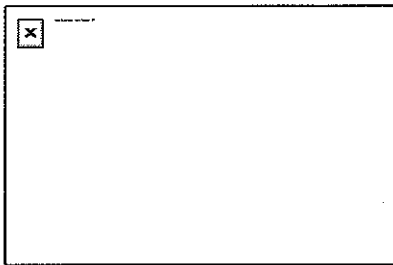
Cheers,

**Paul Richardson**  
**Managing Director**

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## Tammy Fage

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**From:** David Monks  
**Sent:** 01 June 2009 16:22  
**To:** Tammy Fage  
**Cc:** Dennis Rive; William Peggie  
**Subject:** FW: Revision of asbestos ACoP



ACoP Consultation  
doc April 20...

Tammy  
I have amended paras 166 and 176 for non-licenced asbestos.

**David Monks**

**Head of Waste Regulation - Environmental Protection**

**States of Jersey | Planning and Environment Department**

T: +44(0)1534 441600 | F: +44(0)1534 441601 | E: [mailto: d.monks@gov.je](mailto:d.monks@gov.je) | W: [www.gov.je](http://www.gov.je)

The content of this email is without prejudice to a future decision made by the Minister for Planning and Environment.

-----Original Message-----

**From:** David Monks  
**Sent:** 01 June 2009 15:43  
**To:** Tammy Fage; Dennis Rive  
**Cc:** William Peggie  
**Subject:** RE: Revision of asbestos ACoP

Tammy  
Apologies. I have amended the end of the "waste disposal" section. The "hygiene & waste arrangements" section could be similarly amended. Let me know what you think and any queries please call.  
Regards  
Dave

**David Monks**

**Head of Waste Regulation - Environmental Protection**

**States of Jersey | Planning and Environment Department**

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The content of this email is without prejudice to a future decision made by the Minister for Planning and Environment.

-----Original Message-----

**From:** Tammy Fage  
**Sent:** 01 June 2009 11:12  
**To:** Dennis Rive; David Monks  
**Subject:** Revision of asbestos ACoP

Morning!

I was wondering whether you have had an opportunity to have a look at the relevant extracts of the proposed asbestos ACoP revision, as we discussed when we last met.

The general consultation period is now over and I am in the final stages of confirming the content to the publishers, so this is really the last chance for you to comment.

I have attached a link to the consultation document for your convenience - waste disposal is mainly covered in paragraphs 160 - 167 and 192 - 199

<< File: ACoP Consultation doc April 2009.doc >>

Best Regards



Tammy

**Tammy Fage (Mrs) | Health and Safety Inspector | Health and Safety Inspectorate**

States of Jersey | Social Security Department | PO Box 55 | Philip Le Feuvre House | La Motte Street | St Helier | Jersey CI | JE4 8PE

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157. In order to maintain the independence of the analyst, they should be appointed and paid directly by the person or organisation having responsibility for commissioning the work and not by the asbestos removal contractor.

158. The key role of the analyst is to assess the site after the asbestos removal is complete to determine whether the area is thoroughly clean and fit for reoccupation. The assessment procedure is a 4-stage certification process as follows:-

**Stage 1:** Preliminary check of site condition and job completeness;

**Stage 2:** A thorough visual inspection inside the enclosure/ work area;

**Stage 3:** Air monitoring;

**Stage 4:** Final assessment post enclosure/ work area dismantling.

159. Detailed guidance on the role and responsibilities of the analyst, and the 4-stage clearance procedure is contained within the HSE publications 'Asbestos: The licensed contractors' guide' HSG 247 and 'Asbestos: The analysts' guide for sampling, analysis and clearance procedures' HSG 248.

## Waste disposal

160. Asbestos waste, debris, or material considered to be contaminated with asbestos fibres should be placed directly into suitable bags and sealed, or packed and sealed. This includes all enclosure building materials (such as timber and sheeting) and any items that have been present and unprotected inside contaminated areas and cannot, or will not, be cleaned (including tools and equipment). It also includes all disposable PPE used in the enclosure, transit and waste routes, and disposable or discarded items used in cleaning and decontamination, such as clothes and towels. Waste water from the buckets in the airlocks should be discarded through the filtered drainage system in the shower of the DCU.

161. Solid waste should be double bagged using suitable, UN-approved packaging. This should include a red inner bag, which contains the appropriate asbestos warning label, and a clear outer bag. The following protocol should be followed for bagging (or wrapping) waste:-

- ensure the waste material has been dampened down (in the case of AIB) or is wet (a doughy consistency for lagging materials);
- place the waste carefully into a red waste bag and seal with strong tape;
- in the inner stage of the bag lock (or airlock if no bag lock), the bag should be wiped down and transferred to the middle stage;
- in the middle stage the red bag should be placed in a clear asbestos waste bag, which should then be sealed and wiped down in a similar manner;
- the double-bagged waste should then be collected from the outer stage and transferred to the waste skip.

162. If wrapping a large object which cannot fit into the asbestos waste bags, the item should be wrapped in two layers of strong polythene and a red asbestos bag or printed label (with the same information as the bag), securely attached to indicate it is asbestos waste.

163. Where bagged or wrapped asbestos is stored temporarily, it must be kept in an appropriately locked skip or where this is not practicable, in a suitable locked vehicle. Where temporary storage of waste bags is required on site (only where it is not reasonably practicable to transfer waste bags directly to a suitable waste skip) this should be in a dedicated locked room. Appropriate asbestos warning signs should be erected and every exposed surface of the room be smooth and impervious so as to allow thorough cleaning after the bags have been removed. This is usually achieved by lining with polythene sheeting.

164. A sealed bulkhead must be provided in vehicles used to transport asbestos waste to segregate passengers from the waste. Tools and other equipment should also be segregated to prevent bags being ruptured during transit.

165. Care should be taken to ensure that any temporary storage location is not in an area where it may be exposed to vandalism nor close to an area considered to be sensitive, i.e. a school playground.

166. The disposal of asbestos waste can only take place at a site which holds a waste management licence under the Waste Management (Jersey) Law 2005. Waste management licences are granted by the Planning & Environment Department (Environmental Protection). It is an offence to cause or knowingly permit the disposal, deposit, keeping, or treatment of asbestos waste other than in accordance with a licence.

166-167. The waste must be taken as soon as possible, by arrangement with the Transport and Technical Services department, to the temporary asbestos waste storage compound

168.R-E-E

168. Companies transporting hazardous wastes which includes asbestos waste must be registered with the Planning & Environment Department (Environmental Protection) under the Waste Management (Jersey) Law 2005. Under the Law, a registered waste carrier shall ensure that his or her employees are suitably trained and any motor vehicle or other equipment that is used to transport waste is appropriately designed and maintained.

169. Before transporting hazardous wastes which includes asbestos waste, companies / bodies must pre-notify the movement of the wastes to the Planning & Environment Department (Environmental Protection). Pre-notification is by the completion of prescribed forms which are available from Environmental Protection or from the Transport & Technical Services Department.

167.

### **Arrangements to deal with accidents, incidents and emergencies**

168-170. The risk of an accident occurring in an enclosure during asbestos removal is always a possibility, for example, a worker collapsing or falling from height within the enclosure. Emergency procedures for the evacuation of ill or injured personnel therefore need to be written into the Plan of work.

169-171. Decontamination should be carried out as far as possible. Where practicable employees should vacuum themselves and the victim, and sponge down RPE and boots but evacuation of the seriously ill or injured person should not be delayed by over-elaborate attempts to decontaminate the casualty. If the victim can be moved, work colleagues can move them outside, if necessary, by slitting the walls of the enclosure. In some situations it may be necessary for the casualty to be treated inside the enclosure.

170-172. Arrangements for contacting the emergency services should be established in advance. If an accident occurs, information should be given to the relevant accident and emergency services at the time of the call to enable those services to prepare their own response and precautionary procedures for asbestos and other hazards. Spare disposable protective clothing and disposable respiratory protective equipment should be kept available for personnel who have to enter the enclosure and who do not have their own equipment, for example paramedics.

171-173. As asbestos personnel work in many different premises and buildings it is important that they are familiar with the procedures and arrangements in the event of a fire or other emergency requiring evacuation. Even in unoccupied buildings, there may be specific factors associated with the site which increases the potential risk of fire or other emergency situation so the means of identifying such an event, and the means of escape must be planned. This is particularly important if the enclosure or DCU is located in a relatively inaccessible area, or the escape route is awkward or lengthy. Although, where practicable, basic decontamination is desirable if escape becomes necessary, evacuation from the premises must be the overwhelming priority and should not be delayed by undergoing decontamination.

172-174. After reaching a safe area after any accident or emergency, PPE and RPE should be decontaminated as far as possible.

# Part Four

## Work on asbestos containing materials not subject to the Asbestos (Licensing)(Jersey) Regulations 2008

### Legal requirements

173-175. The Asbestos-Licensing (Jersey) Regulations 2008 do not apply to work with

- **asbestos cement**, which is a mixture of asbestos (predominately chrysotile) and cement which, in the dry state, absorbs less than 30% by weight;
- asbestos containing **thin textured decorative coatings**, such as paints and ceiling plasters, used to produce visual effects;
- any article of **bitumen, plastic, resin or rubber** which contains asbestos, where any thermal or acoustic properties of which are incidental to its main purpose;

174-176. Work with these materials, however, is still subject to the requirements of the Health and Safety and Work (Jersey) Law, 1989, the Construction (Safety Provisions) (Jersey) Regulations, 1970, and the Health and Safety at Work (Construction) (Personal Protective Equipment) (Jersey) Regulations, 2002. Employers should also ensure that any work with asbestos is covered by their insurance policy, as required by the Employers' Liability (Compulsory Insurance) (Jersey) Law, 1973. In addition, the disposal of non-licensed asbestos waste must be carried out in accordance with the Waste Management (Jersey) Law 2005.

175-177. Although the potential for release of high concentrations of asbestos fibre is less than when working with asbestos insulation, asbestos insulation board and asbestos coatings, there is still a potential for release of high levels of fibres when working on any materials which contain asbestos. For example, indications of typical fibre concentrations for work with asbestos cement are contained in Table 3.

**Table 3:**

Type of activity	Typical exposure (f/ml)
Machine sawing with exhaust ventilation	Up to 2
Machine cutting without exhaust ventilation	
- Abrasive disc cutting	15 - 25
- Circular saw	10 - 20
- Jig saw	2 - 10
Hand sawing	Up to 1
Machine drilling	Up to 1
Removal of asbestos cement sheeting	Up to 0.5
Stacking of asbestos cement sheets	Up to 0.5
Remote demolition of asbestos cement structures dry*	Up to 0.1
Remote demolition of asbestos cement structures wet*	Up to 0.1
Cleaning asbestos cement roofing	
- Dry brushing (wire)	3
- Wet brushing (wire)	1-3
Cleaning asbestos cement vertical cladding	
- Dry brushing (wire)	5-8
- Wet brushing (wire)	1-2

### Notes

\*Subsequent sweeping up after remote demolition may give rise to concentration greater than 1 f/ml

Inclusion of a technique does not indicate that it is acceptable (eg machine cutting without exhaust ventilation). These concentrations are given to illustrate the high exposures which can result if good work practices are not followed

## Appendix D

## **Notice of Withdrawal of Approval**

The approval of the Approved Code of Practice, entitled "Management of Exposure to Asbestos in Workplace Buildings and Structures", which came into force on the 1<sup>st</sup> January 2005, has been withdrawn by the Minister for Social Security under Article 10 of the Health and Safety at Work (Jersey) Law, 1989, ("the Law").

The withdrawal of the Approved Code of Practice, ACoP 8, shall come into force on the 1<sup>st</sup> October 2009.

**Deputy Ian Gorst**

Minister for Social Security  
Date: 22nd July 2009

## **Notice of Approval**

This Code of Practice, entitled “Management of Exposure to Asbestos in Workplace Buildings and Structures”, has been approved by the Minister for Social Security under Article 10 of the Health and Safety at Work (Jersey) Law, 1989, (“the Law”).

It provides practical guidance for all persons who have duties under Part 2 of the Law.

This Code of Practice, ACoP 8 (revised), shall come into force on the 1<sup>st</sup> October 2009.

## **Deputy Ian Gorst**

Minister for Social Security  
Date: 22nd July 2009