

# Asbestos Management in Government Buildings



Government of  
South Australia



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## Contents

Foreword.....	4
Executive Summary .....	5
Application .....	7
Asbestos Risk Management.....	8
Introduction .....	8
Identifying Risk.....	8
Asbestos Register.....	8
DPTI Asbestos Services Unit.....	8
Managing Asbestos .....	9
Asbestos Management Plan.....	9
DPTI Asbestos Services Unit.....	9
Suspected Incidents of Asbestos on Construction and Maintenance Sites .....	10
Suspected Asbestos on Construction Sites – Flow Chart 1 .....	11
Suspected Asbestos on AGFMA Controlled Sites – Flow Chart 2 .....	12
Agency Related Asbestos Management Training and Reporting.....	13
Training .....	13
Reporting.....	13
Asbestos Removalists and Assessors.....	14
Licensing .....	14
Health Monitoring .....	14
Training for Workers .....	14
Appendix A: Resources and References.....	15
Resources .....	15
References (Legislation and Codes of Practice) .....	15

## Foreword

The continued legacy of asbestos containing materials in government buildings is a significant concern for the South Australian Government which is committed to protecting the health, safety and welfare of its employees while at work and minimising the risk to the health of employees, contractors and the public from exposure to asbestos.

One of the ways this commitment is being met is through the development and implementation of these guidelines, Asbestos Management in Government Buildings.

The guidelines were originally prepared in consultation with the Across Government Committee on Asbestos Management in Government Assets, and approved by Cabinet in September 2004.

The guidelines were reviewed in 2013 after the release of the:

- Work Health and Safety Act 2012 (the Act)
- Work Health and Safety Regulations 2012 (the Regulations)
- How to Manage and Control Asbestos in the Workplace Code of Practice 2011
- How to Safely Remove Asbestos Code of Practice 2011.

Together the Act, Regulations and Codes detail requirements that apply in a generic sense to all people conducting businesses or undertakings (PCBUs). This guide endeavours to relate the legislative requirements to the South Australian Government building and asset management context by:

- highlighting the key elements and obligations in the Act, Regulations and Codes
- outlining SA Government organisational processes and procedures that relate to satisfying or exceeding the requirements of the Act, Regulations and Codes.

These guidelines will be regularly revised to reflect any future amendments made to the Act and Regulations and the relevant Codes of Practice concerning asbestos.

## Executive Summary

In short, the Act, Regulations and Codes require that all PCBUs, or manage or control a workplace, in so far as it is reasonable practicable, need to ensure that:

- asbestos is identified or assumed on the basis of year built or year manufactured
- asbestos is analysed by a National Association of Testing Authorities (NATA) accredited facility for the relevant test method or a laboratory approved by the regulator in accordance with guidelines published by SafeWork Australia
- asbestos presence and location is indicated
- an asbestos register exists, is reviewed, is accessible and is transferred to new management when applicable
- an asbestos management plan exists after 1 July 2014 and is reviewed thereafter.

The Act, Regulations and Codes are readily available online and clearly cover the detail associated with the requirements for managing asbestos. Therefore, this document should not be seen as a substitute for reading and understanding those requirements.

The Act and Regulations detail a wide range of fines and penalties that could apply to individuals who fit the definitions of being a PCBU as well as being technically negligent in respect to asbestos risk management.

Asbestos hazard and risk management is also part of general Work Health and Safety (WHS) hazard and risk management culture so asbestos risk management should be viewed as one section in local and corporate WHS action plans.

Further to this all South Australian Government departments must:

- prepare an Asbestos Risk Management Program for their asset portfolio as a component of their Strategic Asset Management Plan
- report annually through Department of Planning Transport and Infrastructure (DPTI) on asbestos management (see separate section).

DPTI has an Asbestos Services Unit (ASU) that assists Government Agencies identify, manage, control and remove asbestos from SA Government workplaces.

The DPTI ASU:

- has a close working relationship with SafeWork SA
- provides advice on and coordinates investigation, identification and removal activities
- maintains a register of prequalified asbestos consulting and removal contractors
- makes recommendations on asbestos management based on asbestos condition that if not followed would expose the PCBU's to risk of prosecution
- should be the first port of call for managers in the SA public sector about asbestos issues.

The requirements for an asbestos register and asbestos management plan provide a proactive approach to the identification, analysis and management of asbestos. However, these guidelines also make provision for instances of suspected Asbestos Containing Material (ACB) arising from construction site activities and maintenance and operating activities.

To assist in the event of these circumstances, this document contains action flow charts for what to do in case of suspected ACM. These relate to:

- construction sites controlled by General Building Contractors
- activities on Government sites related to the Across Government Facilities Management Arrangement (AGFMA).

## Application

These guidelines are for agencies that manage sites with ACM, or where ACM may exist, and apply to the planning, management and reporting of work in the vicinity of asbestos where in the course of this work, asbestos fibres may be released into the air. This may occur through cutting, grinding, sawing, drilling or any other processing of asbestos materials.

The guidelines are not a replacement for the two existing approved Codes of Practice concerning asbestos and do not deal with other hazardous materials that may be present in buildings such as synthetic mineral fibres (SMFs) and polychlorinated biphenyls (PCBs). Most importantly they are not intended as detailed instructions for asbestos removal work. In every circumstance it is essential that agencies ensure that only DPTI prequalified and SafeWork SA licensed asbestos removal contractors undertake any asbestos removal work.

### NB

Housing SA has its own procedures for maintenance/repair but engages the DPTI ASU to collect samples for asbestos analysis for maintenance issues and surveys buildings for ACM prior to demolition. After October 2013 Housing SA may have a central contractor and engage asbestos consultants directly.

# Asbestos Risk Management

## Introduction

Chapter 8 – Asbestos of the Regulations make it clear that, *‘a person conducting a business or undertaking at a workplace must ensure that exposure of (anyone) at the workplace to airborne asbestos is eliminated so far as is reasonably practicable or if it is not reasonably practicable to eliminate exposure to airborne asbestos, exposure is minimised so far as is reasonably practicable.’*

To achieve this managed approach, agencies conducting a business or undertaking at a workplace must be in a position to identify the presence of asbestos in the workplace and have in place a plan to manage the asbestos and associated risks. The scope of the key asbestos risk management actions are outlined below.

## Identifying Risk

The Regulations, require that an agency with management or control of a workplace must ensure so far as is reasonably practicable, that all asbestos or ACM is identified. This may be achieved by arranging for a sample of the material to be tested and analysed for the presence of asbestos through a NATA accredited laboratory or similar, approved by the regulator.

### Asbestos Register

The output from this process should result in an asbestos register, which by regulation, must be prepared and maintained for all workplaces and kept accessible at the workplace.

The Regulations prescribe the requirements of the register which must include a record of any asbestos or ACM identified at the workplace, the date on which it was identified, its location, type and condition. The asbestos register must be kept at the workplace and be maintained to ensure that information is up to date.

### DPTI Asbestos Services Unit

If an asbestos register does not already exist the DPTI ASU will organise its preparation in an existing format that already meets the content set out in the Regulations and Code. Within the SA Government context the DPTI ASU:

- undertakes building inspections and prepares asbestos registers for Government Agencies (DECD, SAPOL, Health, CCA, DPC, DFEEST etc) that use the services of the Unit
- undertakes annual inspections (approximately 2000 sites) to identify, assess, monitor and manage asbestos products
- project manages asbestos removal works for Government Agencies as part of DECD School Pride Asset Funding (SPAF) and Treasury funding to make site or buildings asbestos free, (thereby eliminating the asbestos hazard and exposure risk and hence the requirement to conduct further asbestos inspections at the site)
- provides an advisory service on asbestos management matters (e.g. health risk assessment/risk communication, asbestos removal, debris collection/disposal sample/analysis airborne fibre monitoring etc) to Government Agencies.



## **Managing Asbestos**

The Regulations require that an agency with management or control of a workplace must ensure that a written asbestos management plan is prepared for the workplace.

### **Asbestos Management Plan**

Where the presence of asbestos or ACM is confirmed and an asbestos register exists there is further need to establish an asbestos management plan as defined and detailed in the Regulations and Codes. This must be established prior to June 2014.

### **DPTI Asbestos Services Unit**

The DPTI ASU does not presently get involved in the preparation of asbestos management plans required to be developed by persons conducting a business or undertaking. This is an agency responsibility.

To clarify the requirements and interpretations of the Regulations and Codes an agency representative could contact the DPTI ASU.

The Regulations stipulate that a written asbestos management plan must be prepared for the workplace and explains that the contents must include:

- the identification of asbestos or ACM, for example a reference or link to the asbestos register for the workplace, and the locations of signs and labels
- decisions, and reasons for decisions, about the management of asbestos at the workplace e.g. safe work procedures and control measures
- procedures for detailing accidents, incidents or emergencies of asbestos at the workplace
- workers carrying out work involving asbestos e.g. consultation, information and training responsibilities.

Decisions and reasons about the management of asbestos should be consistent with Chapter 3 – General risk and workplace management of the Regulations. It is also required that the asbestos management plan is regularly reviewed and revised in accordance with prescribed circumstances.

The How to Manage and Control Asbestos in the Workplace Code of Practice 2011 also outlines other information that may be included in an asbestos management plan as being:

- an outline of how asbestos will be controlled, including consideration of appropriate control measures
- a timetable for managing risks of exposure e.g. priorities and dates for any reviews, circumstances and activities that could affect the timing of action
- identification of each person with responsibilities under the asbestos management plan and the person's responsibilities
- procedures, including a timetable for reviewing, and if necessary, revising the asbestos management plan and asbestos register
- air monitoring procedures at the workplace, if required.

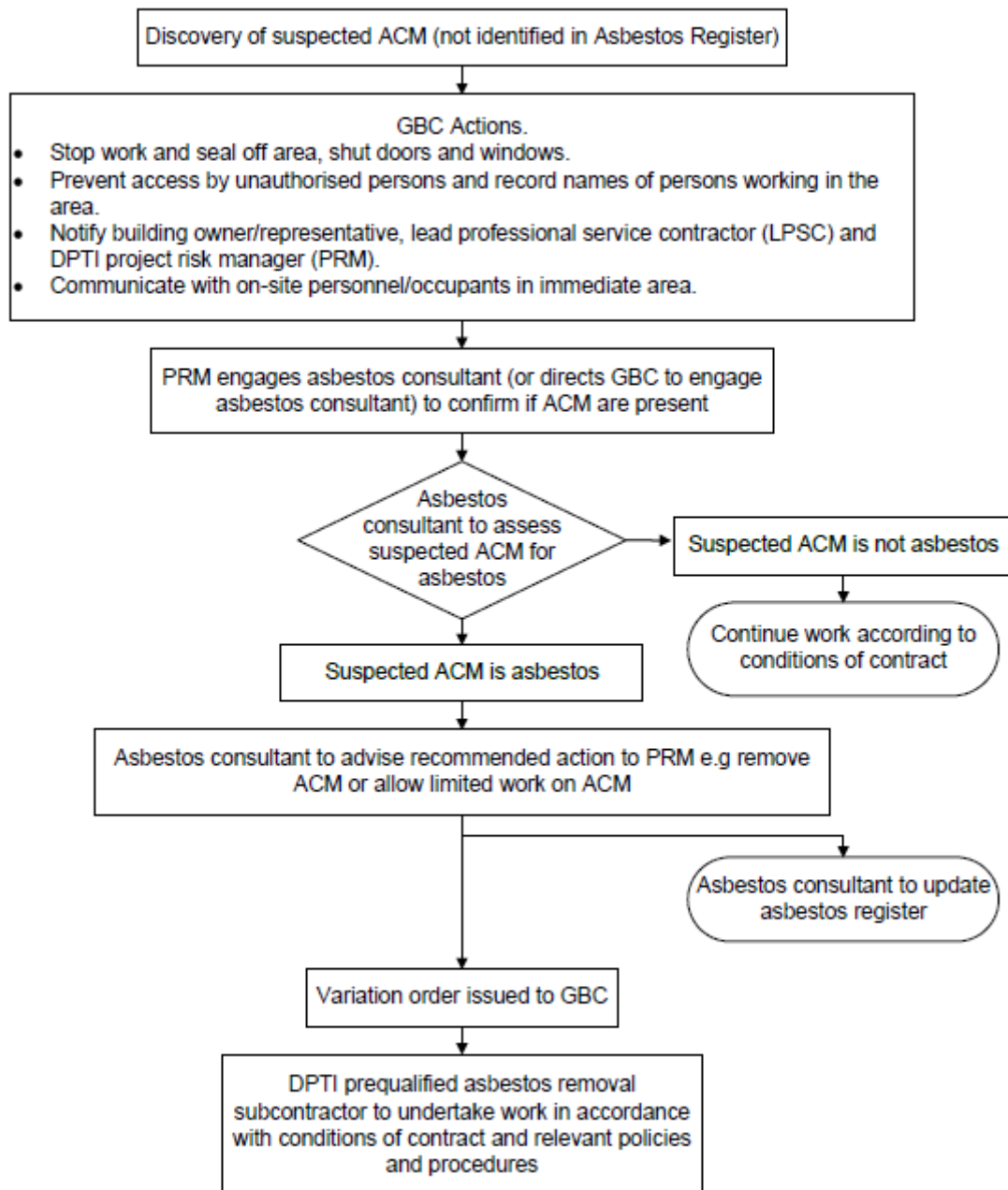
## **Suspected Incidents of Asbestos on Construction and Maintenance Sites**

Within the SA Government context, PCBU at a workplace and who suspect the presence of ACM that is not already covered by an up-to-date and readily available asbestos register and signage, need to seek advice from the DPTI ASU. They also need to act on the recommendation of the ASU within a reasonable time line.

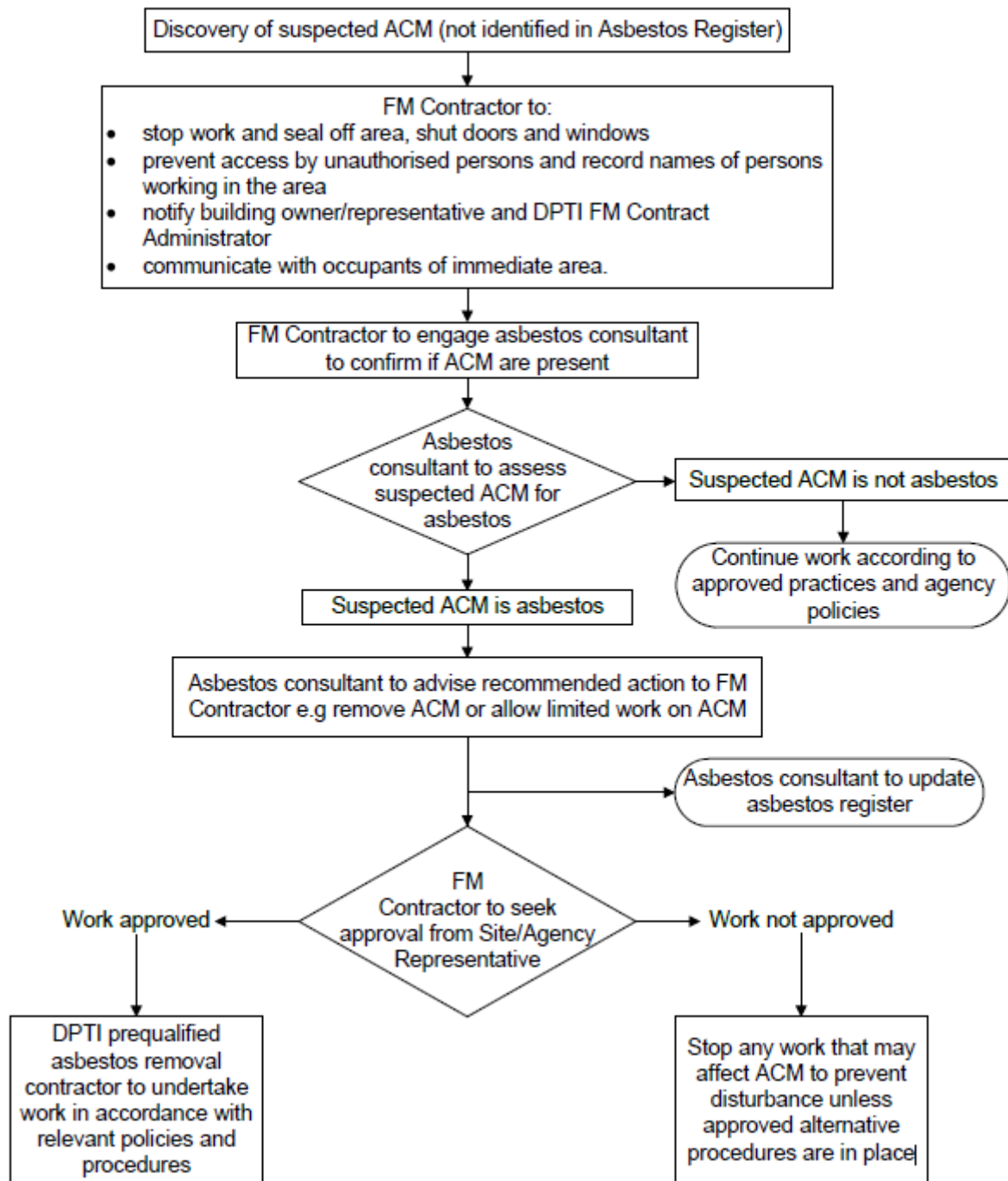
To assist agency personnel who fit the definition of a PCBU the following flow charts have been provided on the next two pages.

- Suspected Asbestos on Construction Sites controlled by a General Building Contractor (GBC) (not identified in asbestos register) – Flow Chart 1
- Suspected Asbestos involving Maintenance activities on a site controlled by a Facilities Management (FM) Contractor (not identified in asbestos register) – Flow Chart 2.

## Suspected Asbestos on Construction Sites – Flow Chart 1



## Suspected Asbestos on AGFMA Controlled Sites – Flow Chart 2



## Agency Related Asbestos Management Training and Reporting

### Training

This guideline raises awareness of the need for comprehensive training to ensure government agencies are aware of their managerial responsibilities and of the need to engage only prequalified professional services contractors to undertake asbestos assessments and only prequalified and accredited asbestos removal contractors who are licensed to undertake asbestos removal. This should be arranged through the DPTI ASU.

Agencies are responsible for ensuring their site managers are informed and aware of their managerial responsibilities. The DPTI ASU can provide training focused on asbestos awareness which includes a description of asbestos fibres types, products, health effects, asbestos management procedures for Government maintenance contractors and asbestos removal contractors and regulatory requirements (under the Regulations) for PCBUs and those who manage or control a workplace.

### Reporting

On 2 May 2011 Cabinet approved modifications to the reporting process and government agencies are no longer required to report on asbestos management activities in their annual reports. Instead agencies are required to provide information that will enable the production of an annual across government report on asbestos management in government buildings to be compiled by DPTI.

Agencies are required to contribute to the production of the annual across government asbestos management report and state in the agency's annual report that it has:

- modified and/or verified as correct the standard report provided by DPTI from the Strategic Asset Management Information System (SAMIS) as at 30 June [Year] in accordance with the table below, or
- provided DPTI with relevant data as at 30 June [Year] in accordance with the table below.

The across government asbestos management report will summarise the ACM that are present in government owned assets and how these are being managed and removed. It also raises awareness of the ongoing nature of asbestos management and the government's risk management approach.

The standard report table is provided below. Agencies are to include the number of sites per category for the start and end of the reporting year and provide any relevant further commentary in an 'additional information' section.

<b>[Agency Name]: Annual Asbestos Management Report [Year]</b>				
Category	Number of Sites		Category Description	Interpretation One or more items at these sites...
	At start of year	At end of year		
1			Remove	Should be removed promptly.
2			Remove as soon as practicable	Should be scheduled for removal at a practicable time.
3			Use care during maintenance	May need removal during maintenance works.
4			Monitor condition	Has asbestos present. Inspect according to legislation and policy.
5			No asbestos identified/identified asbestos has been removed	All asbestos identified as per the WH&S Regulations 2012 (Chapter 8 – Asbestos) has been removed.
6			Further information required	These sites not yet categorised or some asbestos items do not have recommended actions.

## **Asbestos Removalists and Assessors**

Government agencies should be aware that the Regulations provide detailed explanation setting out the requirements of workers engaged by persons involved in asbestos removal work or in carrying out asbestos-related work. The procurement process used by DPTI's ASU ensures that those engaged to perform asbestos related activities conform to these requirements, which include licensing, health monitoring of workers and training for workers. The Regulations make detailed provision for these as below.

### **Licensing**

Chapter 8 – Asbestos, Part 10 – Licensing of asbestos removalists and asbestos assessors of the Regulations explain the requirements in relation to licensing.

### **Health Monitoring**

Part 5 – Asbestos at the workplace, Division 1 – Health monitoring of the Regulations explain the requirements and responsibility of asbestos removalists for health monitoring of workers carrying out licensed asbestos removal.

### **Training for Workers**

Part 5 – Asbestos at the workplace, Division 2 – Training of the Regulations explains that workers engaged by a person involved in asbestos removal work or in carrying out asbestos related work are required to be trained in the identification and safe handling of, and suitable control measures for asbestos and ACM.

## Appendix A: Resources and References

### Resources:

DPTI Asbestos Services Unit  
Manager, Asbestos Services  
Building 4 Netley Commercial Park  
300 Richmond Road Netley 5037  
Phone (08) 8226 6443

DPTI Building Management web site - Hazardous Materials  
[http://www.infrastructure.sa.gov.au/BuildingManagement/information\\_for\\_government\\_agencies/hazardous\\_materials](http://www.infrastructure.sa.gov.au/BuildingManagement/information_for_government_agencies/hazardous_materials)

SafeWork SA website – WHS Asbestos  
[http://www.safework.sa.gov.au/show\\_page.jsp?id=2974](http://www.safework.sa.gov.au/show_page.jsp?id=2974)

Environment Protection Authority (EPA), EPA Guidelines, Wastes Containing Asbestos: Removal, Transport and Disposal (Updated July 2009)  
[http://www.epa.sa.gov.au/xstd\\_files/Waste/Guideline/guide\\_asbestos.pdf](http://www.epa.sa.gov.au/xstd_files/Waste/Guideline/guide_asbestos.pdf)

Treasury Instruction, Department of the Premier and Cabinet Circular PC013 – Annual Reporting Requirements, 2012  
[http://dpc.sa.gov.au/sites/default/files/pubimages/Circulars/PC013\\_AnnRep-Requirements\\_0.pdf](http://dpc.sa.gov.au/sites/default/files/pubimages/Circulars/PC013_AnnRep-Requirements_0.pdf)

### References (Legislation and Codes of Practice):

South Australia, Work Health and Safety Act 2012  
<http://www.legislation.sa.gov.au/LZ/C/A/WORK%20HEALTH%20AND%20SAFETY%20ACT%202012.aspx>

South Australia, Work Health and Safety Regulations 2012  
<http://www.legislation.sa.gov.au/LZ/C/R/WORK%20HEALTH%20AND%20SAFETY%20REGULATIONS%202012.aspx>

Safe Work Australia, Model Code of Practice, How to Manage and Control Asbestos in the Workplace December 2011  
<http://www.safeworkaustralia.gov.au/sites/swa/about/publications/pages/manage-control-asbestos-cop>

Safe Work Australia, How to Safely Remove Asbestos Code of Practice, December 2011  
<http://www.safeworkaustralia.gov.au/sites/swa/about/publications/pages/safely-remove-asbestos-cop>