

**MANAGING ASBESTOS**

**IN THE**

**WORKPLACE**

**W A R D F I R E U K L T D**

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# MANAGING ASBESTOS

## **Your legal duties**

The Control of Asbestos at Work Regulations 2002 (as amended) requires employers to prevent the exposure of their employees to asbestos. If this is not reasonably practicable the law requires exposure to be controlled to the lowest possible level.

The regulation became law on 21 May 2004 and you should now be managing the risk from asbestos to save lives later. Regulation 4 of the Control of Asbestos at Work Regulations 2002 created a new legal duty to manage asbestos in non-domestic premises. This responsibility is delegated to a duty-holder in most organizations.

If you control or have information about the building, you must co-operate with the dutyholder. For instance, landlords must pass on relevant information to new tenants, and leaseholders must allow access for inspection by managing agents.

It is estimated that up to 500,000 commercial, industrial and public buildings in the UK are likely to contain asbestos materials. Unless this material is properly managed, building and maintenance workers may breathe in harmful asbestos fibers when carrying out everyday jobs.

Before any work with asbestos is carried out, the Regulations require employers to make an assessment of the likely exposure of employees to asbestos dust. The assessment should include a description of the precautions to be taken to control dust release and to protect workers and others who may be affected by that work. If a contractor is employed to work on the premises, steps must be taken to ensure that either the work will not lead to asbestos exposures or that the contractor has carried out an assessment and identified work practices to reduce exposures.

## **What buildings are affected?**

All non-domestic buildings, whatever type of business is carried out in them. It also covers the common areas of rented residential properties, including halls, stair wells, lift shafts and roof spaces.

## **What you need to do**

The management of every company employing staff in freehold or leasehold premises must take action now.

Specifically they must:

1. Find out whether their building contains asbestos, what type it is and what condition it is in.
2. Assess the risk that it presents, e.g. if it is likely to release fibres.
3. Make a plan to manage that risk.
4. Appoint a duty holder

### **Where do I start?**

Do a desktop study to check out what you already know about your buildings. For example obtain plans of the buildings, find out when they were built and assess what materials have been used in their construction. Remember, the new legal duty is about managing any asbestos in a building, not about removing all asbestos! Asbestos in good condition and not likely to be disturbed should not be removed. Removal will be costly and may well be unnecessary.

### **How can we help?**

WARDFIRE UK will

1. Carry out an inspection of your building.
2. Record the results of the inspection, identifying where asbestos is located and what type it is, sending samples for analysis by UKAS accredited laboratories if required.
3. Assess the risk of asbestos fibers being released into the air from the materials in those areas taking into account the materials' condition and how likely they are to be damaged or disturbed.
4. Draw up a management plan stating which areas, if any, need asbestos to be sealed, encapsulated or, as a last resort, removed.
5. Recommend which areas need regular checks to monitor the condition of materials concentrating on areas of high risk where materials are more likely to get damaged.

### **Types of Survey**

In accordance with the HSE Publication MDHS 100: Surveying, sampling and assessment of asbestos-containing materials dated July 2001 there are three types of survey:

Type 1: Location and assessment survey.

Type 2: Standard sampling, identification and assessment survey.

Type 3: Full access sampling and identification survey (before demolition or major refurbishment)

Generally a Type 1 survey is quite adequate. A Type 2 survey is only likely to be needed for older buildings.

### **What shouldn't I do?**

1. Don't panic - asbestos is only dangerous when disturbed. If it is safely managed and contained it doesn't present a health hazard.
2. Don't remove asbestos unnecessarily. Removing it can be more dangerous than simply containing it.
3. Don't treat all asbestos materials the same. You only need to use a licenced contractor to work on high risk materials, such as pipe insulation or asbestos insulating panels - not on asbestos cement which is much less dangerous.
4. Don't forget that the regulation is all about protecting maintenance workers and others from asbestos fibers, so concentrate on practical steps to achieve this.

### **What will the survey cost?**

A type 1 survey, which is perfectly adequate for most situations, can be as little as £550 plus VAT for a 1,500 ft<sup>2</sup> building of reasonably modern construction. A similar survey on a 20,000 ft<sup>2</sup> building will probably cost under £1,000. We will give a quotation before starting work. Sample analysis, when required, is charged to the client at cost.

**Contact Steve Jordan at**

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