

# **MANAGING ASBESTOS CONTAINING MATERIALS (ACM'S)**

## **A Guide for the Management of Asbestos Containing Materials in Offices and Associated Buildings**

The principal contents of this Guide are based on a publication prepared by the Health and Safety Executive (HSE) Managing Asbestos in Premises. We have amended the original document to make it more specific for office premises.

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## Executive Summary

If you own, occupy, manage or have responsibilities for premises, the law now requires you to:

- Carry out a risk assessment for the presence of Asbestos Containing Materials
- Manage the risk resulting from the assessment or
- Co-operate with whoever manages that risk
- Failure to comply with the law could result in prosecution of an individual or individuals under the Health and Safety at Work Act.
- You need to act now.

## Who is this guidance for?

If you own, occupy, manage or have responsibilities for premises which may contain asbestos, you will either have:

- a legal duty to manage the risk from this material; or
- a duty to co-operate with whoever manages that risk.

This guidance will help you decide how to identify, assess and manage any asbestos-containing materials (ACMs) on your premises. A good strategy to manage these materials will help you prevent risk to workers or others who may use the premises.

## Why is asbestos dangerous?

Breathing in air containing asbestos fibres can lead to asbestos related diseases, mainly cancers of the lungs and chest lining. Asbestos is only a risk to health if asbestos fibres are released into the air and breathed in. Asbestos-related diseases currently kill up to 3000 people a year in Great Britain. This number is expected to go on rising for the next ten years. There is no cure for asbestos-related diseases. There is usually a long delay between first exposure to asbestos and the onset of disease. This can vary from 15 to 60 years. Only by preventing or minimising these exposures now will asbestos-related disease eventually be wiped out.

There are three main types of asbestos still found in premises. These are commonly called 'blue asbestos' (crocidolite), 'brown asbestos' (amosite) and 'white asbestos' (chrysotile). All of them are dangerous, but blue and brown asbestos are more hazardous than white. You cannot identify them just by their colour.

Although it is now illegal to use asbestos in the construction or refurbishment of any premises, many thousands of tonnes of it were used in the past and much of it is still in place. As long as it is in good condition and is not being or going to be disturbed or damaged there is no risk. But if it is disturbed or damaged, it can become a danger to health, because asbestos fibres are released into the air and people can breathe them in.

## Who is at risk?

Anyone who uses your premises, who disturbs asbestos that has deteriorated or been damaged and is releasing fibres, can be at risk.

In fact, anyone whose work involves drilling, sawing or cutting into the fabric of premises could potentially be at risk. They may all breathe in asbestos fibres during their day-to-day work.

It is now thought possible that repeated low exposures, such as those which could occur during routine repair work, may also lead to cancers.

The scientific evidence on exactly what exposures cause disease is unclear. But we do know the more asbestos dust breathed in, the greater the risk to health. That is why it is important that ACMs are identified and that everyone who works with them should take appropriate precautions.

## Where is asbestos found in buildings?

Some ACMs are more vulnerable to damage and more likely to give off fibres than others. In general, the materials which contain a high percentage of asbestos are more easily damaged. The list below is roughly in order of ease of fibre release (with the highest potential fibre release first).

Sprayed coatings, lagging and insulating board are more likely to contain blue or brown asbestos.

Asbestos insulation and lagging can contain up to 85% asbestos and is most likely to give off fibres. Work with asbestos insulating board can result in equally high fibre release if power tools are used. On the other hand, asbestos cement contains only 10%-15% asbestos. The asbestos is tightly bound into the cement and the material will only give off fibres if it is badly damaged or broken.

You are most likely to come across asbestos in these materials:

- sprayed asbestos and asbestos loose packing - generally used as fire breaks in ceiling voids;
- moulded or preformed lagging - generally used in thermal insulation of pipes and boilers;

- sprayed asbestos - generally used as fire protection in ducts, firebreaks, panels, partitions, soffit boards, ceiling panels and around structural steel work;
- insulating boards used for fire protection, thermal insulation, partitioning and ducts;
- some ceiling tiles;
- millboard, paper and paper products used for insulation of electrical equipment. Asbestos paper has also been used as a fire-proof facing on wood fibreboard;
- asbestos cement products, which can be fully or semi-compressed into flat or corrugated sheets. Corrugated sheets are largely used as roofing and wall cladding. Other asbestos cement products include gutters, rainwater pipes and water tanks;
- certain textured coatings;
- bitumen roofing material; and
- vinyl or thermoplastic floor tiles.

**R e m e m b e r, although these are the most likely uses and places where asbestos will be found, asbestos was used in many other materials. If you are in doubt, it is safer to presume that a material contains asbestos, unless there is strong evidence that it does not.**

### **What is new about the duty to manage asbestos?**

If you are an employer, you already have a legal duty to prevent the exposure of your employees to asbestos, or if this is not possible to reduce it to the lowest possible level. In the very near future, a new duty to manage asbestos will be added to the Control of Asbestos at Work Regulations. This will require you to manage the risk from asbestos by:

- finding out if there is asbestos in the premises, its amount and what condition it is in;
- presuming materials contain asbestos, unless you have strong evidence that they do not;
- making and keeping up to date a record of the location and condition of the ACMs or presumed ACMs in your premises;
- assessing the risk from the material;
  
- preparing a plan that sets out in detail how you are going to manage the risk from this material;
- taking the steps needed to put your plan into action;
- reviewing and monitoring your plan and the arrangements made to put it in place; and
- providing information on the location and condition of the material to anyone who is liable to work on or disturb it.

Anyone with any interest in the property will have a duty to co-operate with employers to enable them to manage the risk.

### **How can you comply with the new duty?**

This section tells you what is required to comply with the new duty. There is a checklist setting out the whole process of managing the risk from asbestos on page 18. You can use this to check that you are taking the right steps.

Although you may appoint a competent person to carry out all or part of the work to meet the requirements of this new duty, you will have to be involved in the final assessment of the potential risk. In particular, it is you who will know how the premises are used and what disturbance is likely to occur. The section 'Assess the potential risk from the ACMs' provides advice on doing this.

**But remember, the responsibility for complying with the new duty to manage the potential risk remains yours.**

### **Find out if asbestos is present**

ACMs may be present if the building was constructed or refurbished before blue and brown asbestos were banned in 1985. In some cases ACMs, such as asbestos cement, were used up until 1999. You need to do all that you reasonably can to find them by:

- looking at building plans and any other relevant information, such as builders' invoices, which may tell you if and where asbestos was used in the construction or refurbishment of the premises;
- carrying out a thorough inspection of the premises both inside and out to identify materials that are or may be asbestos; and
- consulting others, such as the architects, employees or safety representatives, who may be able to provide you with more information.
- If the age of the building or the information you obtain provide strong evidence that no ACMs are present, then you do not need to do anything else.

### **Presume the material is asbestos**

You should always presume any material contains asbestos unless there is strong evidence to suggest it does not. Some material obviously does not contain asbestos such as glass, solid wooden doors, floorboards, bricks and stone. The building plans may provide evidence that other materials were used.

**If you have any doubts about any of the material in your premises you must presume it contains asbestos.**

### **Survey and sample for asbestos**

In some cases, where you have no maintenance work planned and/or the premises are small, it may be appropriate for you to carry out your own inspection. However, you may choose to employ a suitably trained person to do a survey of the premises to identify ACMs, particularly if you are planning maintenance or refurbishment of the premises. They may also be able to advise you on what you need to do and what to include in your management plan. You should ask the person or organisation:

- for evidence of their training and experience in such work;
- whether they are going to carry out the survey in accordance with the HSE guidance MDHS100 *Surveying, sampling and assessment of asbestos-containing materials*; and
- for evidence that they have suitable liability insurance.

You may also need samples of materials analysed, that you suspect might contain asbestos. Often, this is the only certain way of identifying if a material does contain asbestos. **Do not break or damage any material which may contain asbestos to try to identify it.** Samples should only be taken by suitably trained people.

The United Kingdom Accreditation Service (UKAS) has developed an accreditation scheme for organisations which do asbestos surveys. UKAS already has a separate accreditation scheme for sampling and analysis of asbestos in materials. An accredited company is likely to employ suitably trained people for these types of work. But you should check what the firm is accredited for, as some will only be qualified to do surveys and take samples and others only to analyse samples (the UKAS website address is: [www.ukas.com](http://www.ukas.com)).

The Royal Institution of Chartered Surveyors and the British Institute of Occupational Hygienists are proposing to develop personnel certification schemes for individuals who undertake asbestos surveys (their websites are: [www.rics.org](http://www.rics.org) and [www.bioh.org](http://www.bioh.org)).

Personnel certification schemes do not necessarily look at the quality of the procedures and systems used by the whole organisation, whereas the UKAS accreditation scheme will have assessed these.

Surveys should be undertaken by competent people, for example laboratory analysts, suitably trained building surveyors or specialist asbestos removal contractors, with the appropriate accreditation/ certification. Firms are generally listed in Yellow Pages and other business directories. Those who look at samples are listed under 'laboratories' or 'analytical research chemists'. Alternatively, you can ring UKAS on 020 8917 8400 or e-mail them at [info@ukas.com](mailto:info@ukas.com) for information on accredited organisations.

The survey will have identified what type of ACMs are present and where they are. There are two further stages to consider before you can fully develop your risk assessment - what condition are the ACMs in and are they being disturbed or likely to be disturbed?

### **Assess the condition of any ACMs**

The type of ACM, the amount of it and its condition will determine its potential to release asbestos fibres into the air, if disturbed. The condition of ACMs can be considered by addressing a series of questions:

- Is the surface of the material damaged, frayed or scratched?
- Are the surface sealants peeling or breaking off?
- Is the material becoming detached from its base (this is a particular problem with pipe and boiler lagging and sprayed coatings)?
- Are protective coverings, designed to protect the material, missing or damaged?
- Is there asbestos dust or debris from damage near the material?
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If the asbestos-containing materials in your premises are in poor condition you will have to arrange repairs or have them sealed, enclosed or removed.

### **Record where the asbestos or presumed asbestos is and its condition**

You need to prepare a drawing or some other record which shows where the asbestos or presumed asbestos is, the type if known, its form, its amount and what condition it is in. The drawing should be simple, clear and always available at the premises so that you, or any other person that needs to know where the ACMs are, can easily find them. If it is stored electronically via the Internet or on a PC database, it can be easier to update.

There may be some areas of the premises which you cannot look at, such as in roofs and heating ducts and behind ceiling tiles and wall partitions. You should note these on your drawing and presume ACMs may be present, unless you have strong evidence for thinking this is highly unlikely.

### **Assess the potential risk from the A C M s**

You must assess whether the ACMs are being or are likely to be disturbed. Usually disturbance is created by people working on or near the ACMs. You will then need to assess the likelihood of each ACM being disturbed to decide what action to take to manage and control the potential risks. To do this you will need to consider the following factors:

- the information gathered on the location, amount and condition of the ACM;
- if the ACM is in a position where it is likely to be disturbed;
- how much ACM is present;
- whether there is easy access to the A C M ;
- whether people work near the ACM in a way that is liable to disturb it;
- if it is close to areas in which people normally work when it is disturbed;
- the numbers of people who use the area where the ACM is; and if maintenance work, refurbishment or other work on the premises is likely to be carried out where the ACM is. You will need to prepare and implement a plan to manage these risks.

### **Decide what to do**

#### ***Asbestos in good condition***

If the asbestos is:

- in good condition; and
- is not likely to be damaged; and
- is not likely to be worked on or disturbed;

it is usually safer to leave it in place and manage it.

### ***Asbestos in poor condition***

If the asbestos is in poor condition or is likely to be damaged or disturbed you will need to decide whether it should be repaired, sealed, enclosed or removed. If you are unsure of the condition of the asbestos and cannot decide what action to take, seek specialist advice from either an asbestos surveyor, a laboratory or a licensed contractor.

### **Take appropriate action**

#### ***Managing asbestos left in place***

If you decide to leave in place ACMs or presumed ACMs that are in good condition, make a note of where they are on your drawing or other records and keep this information up to date. Setting up a register of the location and condition of ACMs in buildings is a good idea, but be aware that some hidden asbestos may also be present.

You must make sure that everyone who needs to know about the asbestos is effectively alerted to its presence. You can label ACMs clearly with the asbestos warning sign, or use some other warning system (for example colour coding). If you decide not to label the asbestos, you need to make sure that those who might work on the material know that it contains or may contain asbestos.

You will need to introduce a method that will ensure anyone who comes to carry out work on the premises does not start before they are given the relevant information on any asbestos present. For example, a permit-to-work system, where you control access to the premises and only allow people in with a permit, would be one suitable method. This means that no one is allowed to work on the premises, unless they have a permit from you or a nominated employee, so you know what they are working on and where to prevent asbestos being accidentally disturbed).

It can save time and prevent confusion if you make a note of the location of non-asbestos material which could be mistaken for asbestos.

### ***Repair and removal***

Some damaged asbestos can be made safe by repairing it and either sealing or enclosing it to prevent further damage. If this can be done safely, mark the area after it has been repaired and make sure it is on your list of asbestos locations (see 'Record where the asbestos or presumed asbestos is and its condition').

If asbestos is likely to be disturbed during routine maintenance work or daily use of the building it will release fibres. If it cannot be easily repaired and protected, you should have it removed. This work must be carried out by someone trained and competent to carry out the task.

**Remember most work on asbestos insulation, asbestos insulating board and lagging, including sealing and removal, should normally be done by a contractor licensed by HSE.**

### **Check what you've done**

Make sure that you have an effective plan for inspecting ACMs left in place, including those you have sealed or enclosed, to make sure that the condition has not changed. The time between inspections will depend on the type of material, where it is and its condition, but it should be at least every six to twelve months.

### **Monitor and review the effectiveness of the plan**

You will need to check that the arrangements to control the risk, set out in your plan, have been put in place and are working effectively. You must also review the plan if there are significant changes that will affect these arrangements, for example if you do different sorts of work on the premises, or if any of the ACMs are removed.

### **How can you dispose of asbestos?**

Asbestos waste, whether this is small amounts of waste or large scale waste removed by contractors, is subject to waste management controls set out in the Special Waste Regulations 1996. Asbestos waste should be double-bagged in heavy-duty polythene bags and clearly labeled with the label prescribed for asbestos, before it is transported to a disposal site. The waste can only be disposed of at a site licensed to receive it. Your local authority will have information on licensed sites in the area.

### **What should you tell your workers/contractors?**

The new duty requires that you make information on the location and condition of the asbestos available to anyone liable to work on it or disturb it. Make sure that employees involved in building maintenance work and any contractors working on the premises know that the building contains or may contain asbestos. You should also tell them where it is and make sure they know there are potential risks to their health if they disturb it.

You may also need to tell anyone installing telephones, computers or any electrical equipment, as they also may disturb asbestos. Make them all aware of the drawing or record showing where the ACM is and the possibility of coming across hidden ACMs which might not be recorded.

If workers/contractors do have to work on materials containing asbestos you must make sure that they know they are working with asbestos and what precautions they should take.

### **Make sure that they *do*:**

- keep everyone out of the work area who does not need to be there;
- take care not to create dust;
- keep the material wet, whenever possible;
- wear a suitable respirator and protective clothing;
- clean up with a vacuum cleaner which complies with BS 5415 (Type 'H').

### **Make sure they *don't*:**

- break up large pieces of asbestos materials;
- use high-speed power tools - they create high levels of dust;
- expose other workers who are not protected;
- take protective clothing home to wash.
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HSE's guidance *Asbestos essentials* provides advice on working safely with asbestos for people carrying out maintenance or similar work.

**Make sure building workers and contractors know when they need to call in a specialist contractor licensed by HSE.**

### **What else does the law say?**

*The Control of Asbestos at Work Regulations* require employers to prevent exposure of employees to asbestos. If this is not reasonably practicable the law says their exposure should be controlled to the lowest possible level. 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 you are employing a contractor to work on your premises make sure that either the work will not lead to asbestos exposures or that the contractor has carried out this assessment and identified work practices to reduce exposures.

*The Asbestos (Licensing) Regulations 1983 (as amended)* require that a contractor doing more than one hour's work per week with asbestos insulation, asbestos coating or asbestos insulating board and not over two hours on a single job, must hold a licence issued by HSE. But in view of the high exposures with this type of work HSE recommends that you use a licensed contractor for prolonged work involving an ACM. You will be able to get a list of HSE licensed contractors in your area from your local HSE office. (HSE offices are listed in the phone book.)

*The Asbestos (Prohibitions) Regulations 1992 (as amended)* ban the importation into the United Kingdom, and the supply and new use within Great Britain, of all products containing asbestos. They also ban the second-hand use of asbestos building materials which are not part of an existing building being taken down and put up again within the same premises.

*The Construction (Design and Management) Regulations 1994 (CDM)* require the client to provide the planning supervisor with information about the project which is relevant to health and safety. This information might, for instance, include previous surveys of the building for asbestos. Not all projects come within the scope of these Regulations.

For more information see *Construction (Design and Management) Regulations 1994: The role of the client* (see 'Other useful information' for details).

*The Health and Safety at Work etc Act 1974* requires you to protect the health and safety of people who might be affected by your undertaking, whether they work for you or not. The Management of Health and Safety at Work Regulations 1999 expand on these duties by requiring employers to assess risks to the health and safety of employees and others who might work on their premises, to identify what measures are needed to protect them. Employers must then make appropriate arrangements to put in place the necessary preventive or protective measures.

*The Health and Safety (Safety Signs and Signals) Regulations 1996* require that suitable warning signs are put in place if there are no other appropriate preventive or protective measures.

### **Safety representatives**

It is your duty to ensure the health and safety at work of your employees. Safety representatives will often be able and willing to help you develop measures to do this. So it makes sense to consult them and find ways you can both co-operate on health and safety.

If safety representatives have been appointed under the Safety Representatives and Safety Committee Regulations 1977, you must consult them on health and safety matters. The Regulations also require you to give them access to information relevant to the health and safety of the workers they represent, including any relating to potentially hazardous conditions.

### **CHECKLIST**

- **Find** Check if the materials containing asbestos are present
- **Condition** Check what condition the material is in
- **Presume** Assume the material contains asbestos unless you have strong evidence that it does not
- **Identify** If you are planning to have maintenance or refurbishment of the building carried out or the material is in poor condition, you may wish to arrange for the material to be sampled and identified by a specialist
- **Record** Record the location and condition of the material on a plan or drawing
- **Assess** You must decide if the condition or the location means the material is likely to be disturbed
- **Plan** Prepare and implement a plan to manage these risks

<b>Minor damage</b>	<b>Good condition</b>
<ul style="list-style-type: none"> <li>▪ The material should be repaired</li> </ul>	<ul style="list-style-type: none"> <li>▪ The condition of the material should be monitored at regular intervals.</li> </ul>
<ul style="list-style-type: none"> <li>▪ The condition of the material be monitored at regular intervals. Where practical the material should be labeled.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Where practical the material should be labeled.</li> <li>▪ Inform the contractor and any other worker likely to work on or disturb the material</li> </ul>
<ul style="list-style-type: none"> <li>▪ Inform the contractor and any other worker likely to work on or disturb the material</li> </ul>	
<b>Poor condition</b>	<b>Asbestos disturbed</b>
<ul style="list-style-type: none"> <li>▪ Asbestos in poor condition should be removed</li> </ul>	<ul style="list-style-type: none"> <li>▪ Asbestos likely to be disturbed should be removed</li> </ul>

### Other useful information

#### HSE publications/videos

HSE priced and free publications are available by mail order from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA Tel: 01787 881165 Fax: 01787 313995 Website: [www.hsebooks.co.uk](http://www.hsebooks.co.uk) (HSE priced publications are also available from bookshops.)

For information about health and safety ring HSE's InfoLine Tel: 08701 545500 Fax: 02920 859260 e-mail: [hseinformationservices@natbrit.com](mailto:hseinformationservices@natbrit.com) or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG.

You can also visit HSE's website: [www.hse.gov.uk](http://www.hse.gov.uk)