SCOPE OF THIS GUIDANCE NOTE

This document provides guidance to the workers and employers on how to manage potential risks of exposure to loose fill asbestos insulation in affected homes. It is not a comprehensive safety guide and does not apply individually to a particular affected home. It does not apply to work during asbestos removal or demolition of these homes. It is not legal advice and should not be relied or acted upon as if it were. Employers and any other persons reading this document must comply with the applicable legislation.

WHAT ARE THE HEALTH EFFECTS OF LOOSE FILL ASBESTOS EXPOSURE?

Loose fill asbestos insulation is raw amosite (brown/grey) or crocidolite (blue) asbestos fibres that can be released into the air. Amosite and crocidolite fibres are a risk to health when breathed in. The risk increases as the number of asbestos fibres a person breathes increases. There are a number of diseases related to inhaled asbestos fibres, including plural plaques, asbestosis and cancers (in particular mesothelioma). These diseases can take a long time to develop after initial exposure to asbestos (at least 20 to 30 years after the first exposure).

Most people who develop asbestos related disease have had significant exposure to either a large amount of fibres or frequent exposure to lower levels of airborne fibres. There is no known safe level of exposure to asbestos.

WHAT IS THE RISK OF BEING EXPOSED TO ASBESTOS IN AFFECTED HOMES?

Despite the loose fill asbestos removal program in the ACT (that operated from 1988 - 93) loose asbestos fibres remain in the roof spaces, wall cavities and subfloors of affected houses. In the majority of houses, fibres have also been detected in small amounts in dust in living areas.

The remaining fibres pose a low risk to health generally if the property is in good condition, building cavities are not disturbed, and you are careful to minimise airborne fibre generation. However, work which disturbs residual loose fill insulation in walls, roof and sub-floor cavities of these homes could expose workers to high levels of airborne asbestos fibres.

The risk to health for workers who only have short low level exposures and are not undertaking building work or work disturbing wall, floor or ceiling cavities, is low, and similar to that of private visitors.

For all workers, the risk to health from exposure to amosite (or crocidolite) loose fill asbestos must be minimised. This may result in some workers wearing respiratory protection and having to work carefully to meet this legal obligation.

Workers at highest risk needing to enter Mr Fluffy homes include:

- Licensed asbestos removalists and assessors
- Tradesmen

Workers at lower level of risk include:

- Furniture removalists
- Cleaners
Workers who are visitors at very low level of risk include:

- Health care, aged care and disability service providers
- Valuers

**HOW DO I KNOW IT IS A LOOSE FILL ASBESTOS HOME?**

There are several ways:

- Check the list of affected properties on the Asbestos Response Taskforce website: [www.asbestostaskforce.act.gov.au/the-list](http://www.asbestostaskforce.act.gov.au/the-list)
- Label – check the meter box for an approved warning sign.
- Ask the homeowner – the homeowner **must** tell you if it is a ‘Mr Fluffy’ home and provide you with a copy of any asbestos contamination report prepared, or
- If you wish to check whether a property you have worked on in the past was affected by loose fill asbestos, you can request a free building file search – while this is not instant, it is a free service provided by the Access Canberra: [Building File Search Application](http://www.asbestostaskforce.act.gov.au/the-list)

**WHAT IS THE SITUATION IN LOOSE FILL ASBESTOS AFFECTED HOMES?**

For homes affected by loose fill asbestos:

- Sub-floor soil and wall cavities are likely to be contaminated with amosite or crocidolite asbestos fibres. These fibres have gradually leaked into some living areas over the years.
- Cornices in some homes may have trapped loose fill asbestos remaining above them.
- Sealant spray used in roof cavities in the previous removal program has deteriorated so some fibres bonded during the original removal program have become loose.
- More than 50% of affected homes have been found to have small amounts of asbestos fibres in settled dust in living areas. Generally one in five of the dust samples taken in these homes have tested positive for asbestos.
- Homes that have not had asbestos fibres found by an asbestos assessor in settled dust samples can be assumed to have a very low level of contamination in living areas.
- Fibres in dust have been found in some enclosed cupboards where cleaning does not occur frequently, and where fibres have leaked from cavities. The Taskforce is not aware of any **airborne** fibre levels recorded by assessors above the detection limit of the sampling method.
- Air sampling was previously carried out by asbestos assessors but discontinued as a routine practice after no positive results were found.

For most homes, then, contamination in living areas is low, but not non-existent.

**REGULATORY REQUIREMENTS**

Under the Work Health and Safety (WHS) asbestos regulations:

1. At a minimum, no tradesman is permitted to work in a Mr Fluffy home unless they have completed their Asbestos Awareness Training
2. Work **inside sub-floor or other cavities** areas directly disturbing asbestos must be risk assessed by a licensed asbestos assessor and may be regarded as ‘friable asbestos removal’ requiring a Class A asbestos removal licence;
3. Building work that may disturb the loose fill asbestos in the cavities **without entering cavities**, such as pulling cabling, is ‘asbestos related work’, requiring significant training and respiratory protection;
4. Work in living areas where assessors have found asbestos fibres is work involving a minor level of contamination, requiring risk minimisation for ‘minor work’;

5. Work that is merely a short visit to the home is unlikely to involve any significant exposure to asbestos fibres; and

6. Work exterior to the home in the garden carries no risk from loose fill insulation.

7. All maintenance work that might disturb loose fill asbestos insulation in the walls, sub-floor or ceiling cavities must be notified by the homeowner to Access Canberra at least 5 days prior to commencing.

8. No renovation or demolition of the premises may occur without first having all asbestos containing materials removed by a licensed asbestos removalist.

From 1 February 2016, properties that will be occupied beyond June 2016 must have an asbestos contamination report prepared by a licensed asbestos assessor. Any remedial work advised by the assessor must be completed within six months from this report being prepared.

MAINTENANCE, RENOVATION AND DEMOLITION WORK

Prior to any maintenance work, the homeowner or building contractor must notify the intended work to Access Canberra.

No maintenance work should be undertaken on a loose fill asbestos affected property without a risk assessment by a licensed asbestos assessor. This should be commissioned by the persons conducting the business or undertaking (PCBU—this includes employers and principal contractors) who are intending to carry out maintenance work. If the work involves renovation or demolition (requiring a building approval), a licensed asbestos assessor must be engaged to prepare a pre-demolition audit. All asbestos containing materials must be removed by a licensed asbestos removalist prior to demolition and the soil remediated after demolition. A licensed asbestos assessor must be engaged by the principal contractor to undertake clearance monitoring and issue a post demolition asbestos clearance certificate.

VERY LOW RISK WORK: SHORT HOME VISITS

Any intermittent visits to a home e.g. to visit or stay with aged, sick or disabled residents, where disturbance of fibres is likely to be minimal and exposure is likely to be low, is work that poses a very low risk. The homeowner is required to have an asbestos contamination report in place and this must be provided to any worker or visitor to the property. This report does not negate the requirements of a PCBU to undertake an adequate risk assessment for their workers attending the site.

NO RISK WORK: OUTDOOR WORK

Work outdoors which does not involve any disturbance of loose fill asbestos fibres is no risk. All other safety hazards need to be controlled.

WHAT DOES THIS MEAN?

From 1 January 2015, the PCBU – this includes employers and principal contractors – have a number of responsibilities and obligations under various laws in relation to asbestos in residential properties in the ACT. These obligations relate to their duty of care to workers and others.

Workers have responsibilities to minimise risks to their own health and safety and others, including residents and visitors, when working in or visiting residential properties.
Work Health and Safety Act 2011: a PCBU has a primary duty of care to ensure, so far as is reasonably practicable, that risks to the health and safety of workers and other persons are minimised from work carried out. For loose fill asbestos homes, this includes:

- informing workers that this is a loose fill asbestos affected property (consult the list of affected properties on the Asbestos Response Taskforce website)
- not carrying out, directing or allowing a worker to disturb or remove asbestos of any kind without an asbestos removal licence
- minimising exposure of workers to airborne asbestos fibres
- engaging a licensed asbestos assessor to do an asbestos risk assessment prior to any maintenance work that may disturb loose fill asbestos in the building cavities
- all asbestos containing materials must be removed prior to renovation or demolition of a residential property
- training any workers about asbestos at a minimum via the course-Asbestos Awareness.

Dangerous Substances Act 2004: a general safety duty which applies to everyone – including home owners and occupants – regarding the handling of asbestos. In addition to the general safety duty the following specific duties apply to the owners of a Mr Fluffy home:

- you must notify Access Canberra of any intended maintenance work that may disturb loose fill asbestos in your building cavities
- anyone who you have asked to do work on your house must be informed, prior to undertaking the work, that the house is known to have contained loose fill asbestos insulation, and provide a copy of the asbestos contamination report
- you must not engage a tradesman to remove any asbestos materials unless they have an asbestos removal licence
- you must not hire anyone to move goods from contaminated cavities, unless they are a Class A licensed asbestos removalist
- you must display an approved warning sign by the affixing of the warning sign in a prominent location at the:
  - electricity meter board for the premises; and
  - switchboard for the premises.

Building Act 2004: Building approval is required if you intend to renovate or demolish your property. All asbestos containing materials must be removed before renovation or demolition.
WORKING SAFELY WITH ASBESTOS TRAINING

In February 2019, the ACT Government made amendments to the Work Health and Safety Regulation 2011 to mandate people in the occupations that are likely to work with materials that contain asbestos must complete training in 10559NAT – Course in Working Safely with Asbestos Containing Materials.

Persons in an occupation specified in the list below are required to complete the training.

- 334112 – Air-conditioning and Mechanical Services Plumber
- 342111 – Air-conditioning and Refrigeration Mechanic
- 342411 – Cabler (Data and Telecommunications)
- 899914 – Electrical or Telecommunications Trades Assistant
- 341111 – Electrician (General)
- 341112 – Electrician (Special Class)
- 334114 – Gasfitter
- 334111 – Plumber (General)
- 821114 – Plumber’s Assistant
- 342414 – Telecommunications Technician

The expanded course requirements will support workers not involved in asbestos removal but who may disturb asbestos as part of minor or routine work, such as drilling into a wall to install a cable.

Licensed asbestos removalists and licensed asbestos assessors are not affected by the amendments and are exempt from completing the training.

The amendments come into effect on 1 July 2019.

FURTHER INFORMATION

For further information on Working Safely with Asbestos Containing Materials and for a list of registered training organisations approved to deliver the training can be found on the Access Canberra website or visit the Asbestos Response Taskforce website: www.asbestostaskforce.act.gov.au/